

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, April 21, 2011 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF APRIL 7, 2011, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 11-115-463 Teng Scott Vang**
Re-establishment of nonconforming use as a duplex
980 Fuller Ave, SW corner at Chatsworth
R4
Kate Reilly 651-266-6618

- 2 11-116-461 TNT Fireworks**
Conditional use permit for seasonal outdoor sales of consumer fireworks
1440 University Ave W, NE corner of Pascal and St. Anthony
B2
Kate Reilly 651-266-6618

- 3 11-116-521 Pink Dog Holdings LLC**
Conditional use permit for a pawn shop, with modifications of required 150 ft. distance
between building and residentially zoned property and 1320 ft. separation requirement
from alternative financial establishments
2583 7th St W, between Wheeler and Wordsworth
B3
Sarah Zorn 651-266-6570

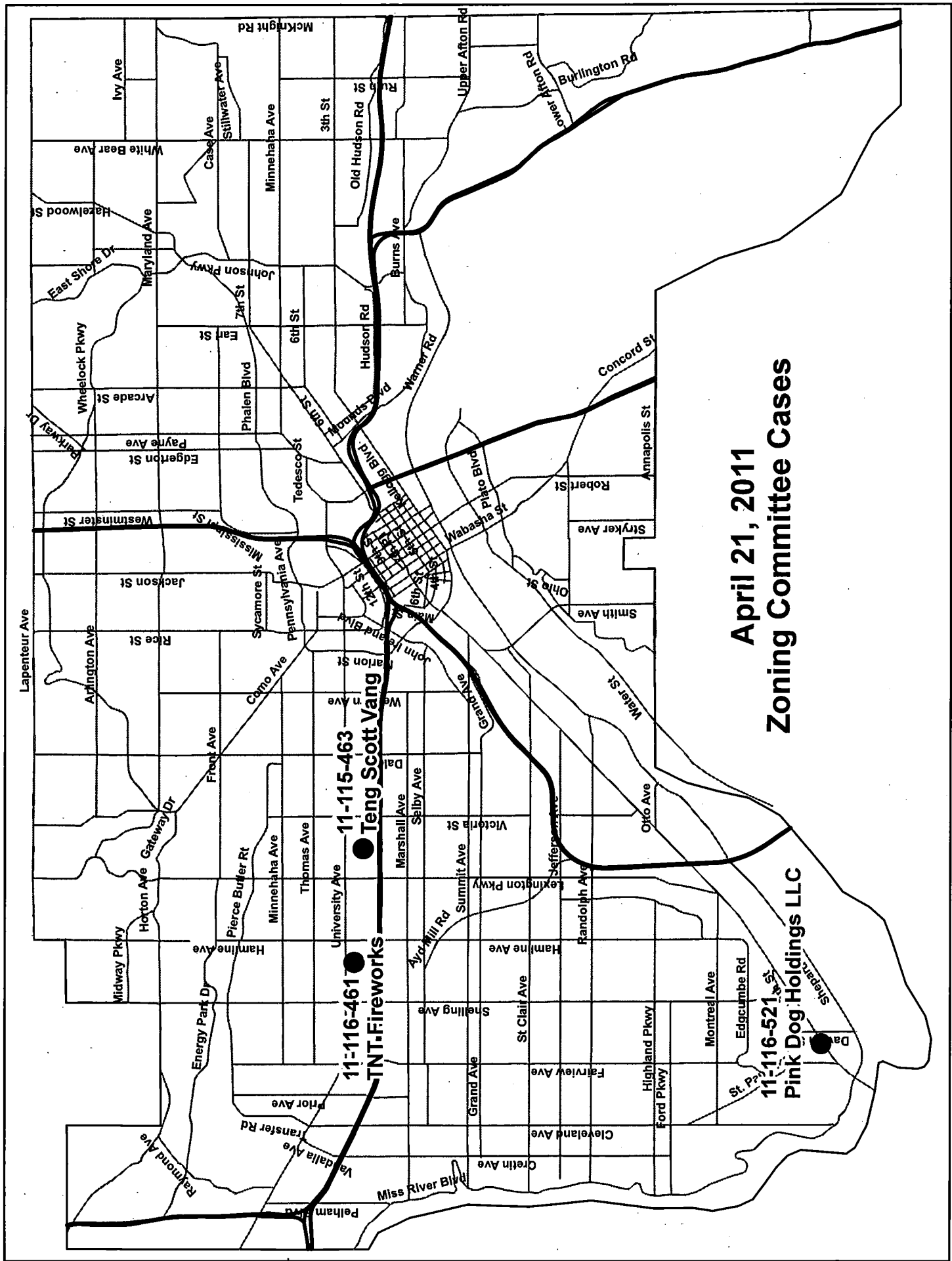
DISCUSSION

Denying zoning applications in the face of a staff recommendation to approve: revisiting the legal requirements of Minn. Stat. § 15.99, Subd. 2(b).
Assistant City Attorney, Peter Warner

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



April 21, 2011
Zoning Committee Cases

11-116-461 ● **TNT Fireworks**
11-115-463 ● **Teng Scott Vang**

11-116-521 ● **Pink Dog Holdings LLC**

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Teng Scott Vang **FILE #** 11-115-463
 2. **APPLICANT:** Teng Vang **HEARING DATE:** April 21, 2011
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit-Reestablishment
 4. **LOCATION:** 980 Fuller Ave, SW corner at Chatsworth
 5. **PIN & LEGAL DESCRIPTION:** 352923320090; University Subdivision Of lots Lot 1 Blk 5
 6. **PLANNING DISTRICT:** 8
 7. **ZONING CODE REFERENCE:** §62.109(d) **PRESENT ZONING:** R4
 8. **STAFF REPORT DATE:** April 12, 2011 **BY:** Kate Reilly
 9. **DATE RECEIVED:** March 30, 2011 **60-DAY DEADLINE FOR ACTION:** May 29, 2011
-

- A. **PURPOSE:** Re-establishment of nonconforming use as a duplex
- B. **PARCEL SIZE:** Lot is 42 ft x 120 ft, totaling 5040 sq. ft. Including half the alley results in a lot area of 5460 sq. ft.
- C. **EXISTING LAND USE:** R-Duplex
- D. **SURROUNDING LAND USE:**
 - North: One- and two-family homes. R4 and RT1 zoning
 - East: One- and two-family homes. R4 zoning
 - South: One- and two-family homes. R4 zoning
 - West: One- and two-family homes. R4 zoning
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:**
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 8 Council submitted a letter in support of the application.
- H. **FINDINGS:**
 1. Mr. Vang recently purchased this property under the assumption that it was zoned for multi-family use. He plans to rehabilitate the property and occupy one unit as his primary residence and rent the top unit to an additional tenant. The property had been on the vacant building list and was unused for more than 365 days, resulting in the loss of its legal non-conforming status and the need for this application to re-establish the duplex use.
 2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. Ramsey County Property records list this property as a two-family dwelling. It was constructed in 1928 and has two entry doors, one for each floor; two separate gas and electric meters; and two separate furnaces. Conversion to a single-family home would be difficult and not reasonable.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met. The proposed use is equally appropriate to the district that the previous nonconforming use, as the previous nonconforming use was that of a duplex.
 - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed use will not be detrimental to the existing character of

development in the immediate neighborhood or endanger the public health, safety, or general welfare. The re-establishment of the nonconforming use will put a structure back into service that has been vacant for several years and fits with the development in the immediate neighborhood, which is a pattern of one- and two-family dwellings.

- (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The proposed use is consistent with existing comprehensive planning documents. The Housing Chapter of the Comprehensive Plan states in Strategy H1.1 that housing choices should be increased across the city. Providing a duplex increases housing choice. The Summit-University District Plan (2007) has a goal of a "housing mix that provides life-long options for residents as they grow from start-up homeowners, to middle life, and through their senior years and to maintain the diversity of people living in the neighborhood." Providing a duplex offers a housing mix. In addition the plan seeks to "preserve current stock of housing, with special commitment to preservation of affordable housing." Re-establishing this non-conforming use as a duplex preserves the current housing stock.
 - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on April 1, 2011; 14 parcels eligible; 10 parcels required; 11 parcels signed.
 - (6) *The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit.* This finding is met.
3. The Planning Commission has established guidelines for applications for nonconforming use permits for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
- A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.* This finding is met. The lot size is 5,040 square feet and the front footage is 42 feet. Including half the alley, the lot size increases to 5460 square feet.
 - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.* This condition is met. Each unit is 1,345 square feet.
 - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This condition is met. There are two garage spaces.
 - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)* This condition is met. All remodeling work is in the interior of the structure.
 - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.* This condition is met. A code compliance inspection has been conducted and the necessary permits obtained.

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of the re-establishment of nonconforming use as a duplex subject to the condition that the applicant complies with all the requirements of the code compliance inspection and receives a certificate of occupancy for the building.



NONCONFORMING USE PERMIT APPLICATION
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning Office Use Only

File #: 11-115463

Fee: 700.00

Tentative Hearing Date:

4-21-11

PD=8

35-2923320090

APPLICANT

Name Teng Scott Vang
Address 1618 Park Ave
City White Bear Lake St. MN Zip 55116 Daytime Phone 651-238-4022
Name of Owner (if different) Teng Scott Vang
Contact Person (if different) Tou Vang Phone 651-336-7271

PROPERTY LOCATION

Address/Location: 980-982 Fuller Ave
Legal Description: University Subdivision of lots lot 1 Blk 2
Current Zoning _____
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for:
- ☒ Change from one nonconforming use to another (para. c)
 - ☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)
 - ☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
 - ☐ Enlargement of a nonconforming use (para. d)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

Present/Past Use: Two units duplex since 1928 Built in

Proposed Use: Two units duplex up/down

Attach additional sheets if necessary

OK
3272
700.00

Attachments as required ☐ Site Plan

☒ Consent Petition

☐ Affidavit

Applicant's Signature [Signature]

Date 03/30/11 City Agent [Signature]

3-30-11

Wednesday, March 30, 2011

To: City of Saint Paul Zoning Committee/Planning Commission

From: Teng Scott Vang

To Whom It May Concern:

My name is Teng Scott Vang. I recently bought the property 980-982 Fuller Avenue. When I first saw the building, it was listed as a duplex and it was constructed as a traditional top/bottom duplex in 1928. It has two entry doorways, two separate gas and electric meters with two furnaces. I bought the building with intentions of owning and operating as a duplex. The problem is that after I bought the property I was finally notified that it was in a single family residential zone and I have to apply for a non-conforming use permit for it to be a duplex with a signed petition from the homeowners in the neighborhood. I had never received any disclosure of this before and it has caused a lot of trouble. It appears the zoning change took place long after the building was already built, as a multi-family duplex. I do not understand why this happened.

I already purchased the property for \$67,000, paid in cash free and clear. I plan to invest an additional \$50,000 to rehabilitate the property to meet the city code compliances. I intend to live in this property and neighborhood as my residence while renting out the upstairs unit. I want to ask you to please support my application for non-conforming use as a duplex. If you could please approve my request for non-conforming use as soon as possible, I would greatly appreciate it because I am on a deadline; the property only has vacancy status until June 17th, 2011 and I have already lost too much money because of this error. I do not want to waste anymore. Thank you.

A handwritten signature in black ink, appearing to read 'Teng Scott Vang', with a long, sweeping horizontal line extending to the right.

Teng Scott Vang

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of Teng Scott VANG
(name of applicant)

to establish a duplex USE FOR duplex
(proposed use)

located at 980-982 Fuller Ave. St. Paul, MN 55104
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
----------------	--------------	-----------	------

① 995 Fuller	Letta McCoy	Letta McCoy	3/24/11
② 988 Fuller	Mavis Vickers	Mavis Vickers	3/24/11
③ 994 Fuller Ave	Jalandra Doye	Jalandra Doye	3/24/11
④ 1000 Fuller	AFRETA	Azed	3/24/11
⑤ Betty Minor	989 Central Ave	Betty Minor	3/28/11
⑥ 993 Central	913 W. Central	John Derozick	3/25/11
⑦ 979 Central	DIETRICH	Tracy	3/26/11
⑧ 986 Fuller	BEN DAVIS	B. Davis	3/24/11
⑨ 981 Fuller			
⑩ * 985 Fuller			
⑪ 991 Fuller			
⑫ 976 Fuller	LORI A. Wagner	Lori A. Wagner	3/26/11
⑬ 977 Fuller	CHERIE JOHNSON	Cherie Johnson	25 MAR 11

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

⑭ 983 Central Ave	Robert Henry Brown	Robert Henry Brown	3/22/11
-------------------	--------------------	--------------------	---------

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A
NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of

Teng Scott VANKS
(name of applicant)

to establish a

NONCONFORMING USE PERMIT FOR - duplex
(proposed use)

located at

980-982 Fuller Ave. St. Paul, MN 55104
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
945 Fuller	Lottie McCoy	Lottie McCoy	3/24/11
988 Fuller	Mavis Vickers	Mavis Vickers	3/24/11
994 Fuller Ave	Jolanda Dwyer	Jolanda Dwyer	3/24/11
1000 Fuller	ARIEL TAYLOR	Ariel Taylor	3/24/11
Betty minor	989 Central Ave	Betty minor	
993 Central			
979 Central			
986 Fuller			
981 Fuller			
985 Fuller	Emmett Booker	Emmett Booker	3-28-11
991 Fuller			
976 Fuller			
977 Fuller			

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

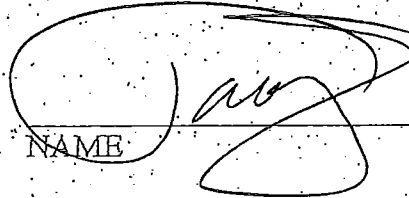
AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

SS

COUNTY OF RAMSEY)

The petitioner, Teng Scott Vang, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

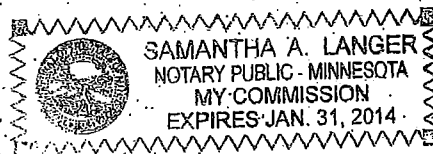

NAME

1618 Park Ave.
ADDRESS White Bear Lake, MN 55120

651-336-7271
TELEPHONE NUMBER

Subscribed and sworn to before me this
30 day of March, 2011.

Samantha A. Langer
NOTARY PUBLIC



ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 3-30-11

DATE PETITION RESUBMITTED: _____

DATE OFFICIALLY RECEIVED: _____

DATE OFFICIALLY RECEIVED: _____

PARCELS ELIGIBLE: 14

PARCELS ELIGIBLE: _____

PARCELS REQUIRED: 10

PARCELS REQUIRED: _____

PARCELS SIGNED: 11

PARCELS SIGNED: _____

CHECKED BY: Paul Dubruel

DATE: 4-1-11

Board of Directors

Chair
Steve Wilson – Hallie
Q. Brown Community
Center

Vice Chair
Jeanette Blankenship

Secretary
Anderson Cielto

Treasurer
Hugh Cameron

Chair, Community
Improvement and
Safety, Chair
Ken Green – Unity
Church Unitarian

Communications and
Outreach, Chair
Betsy Mowry

Chair, Neighborhood
Development
Committee
Jeff Gardner – Selby
Area Business
Association

Ramsey Hill Association
Kevin O'Brien

Aurora St. Anthony
Neighborhood
Development
Corporation –
Dennis Presley, Sr.

Lori Mitchell

Marquitta M. Ransom

Gerald Ransom

Adrienne Hannert

Channa Pittman

Elizabeth Sorenson

Rosalie Moore

Brock Obee

Charlie Neimeyer

Analiese Miller

April 5, 2011

Kate Reilly
Department of Planning and Economic Development
25 West Fourth Street
Saint Paul, MN 55102

Re: Non-conforming use permit for 980-982 Fuller Avenue

Ms. Reilly,

On Tuesday, March 29, 2011, I met with Tou Vang of Vang Estates. He was representing the property owner of 980-982 Fuller Avenue. These are the facts as we understand them:

1. The property was built with the clear intention of being used as a duplex. It has two addresses and two separate front entrances.
2. The property is located in a single-family zoning district, so even though it was intended to be used as a duplex, it does not conform to current zoning.
3. The property has been consistently used as a duplex throughout its life.
4. Because the building was vacant for over 365 days, the non-conforming use permit that allowed it to be used as a duplex expired.
5. If the property owner is issued a non-conforming use permit for the building, the home may once again be used in a manner consistent with its previous use, as a duplex.

Given these facts, the Neighborhood Development Committee of the Summit-University Planning Council supports the issuance of a non-conforming use permit to the owner at 980-982 Fuller Avenue. This permit will not alter the long-standing use of this building. It will not alter the character of the block. It will not create a new burden for the neighborhood.

Please feel free to contact me with any questions or concerns regarding this recommendation. I can be reached by phone at (651) 228-1855 or by email at irna@summit-u.com.

Thank you,



Irna L. Landrum
Executive Director

From: "Cunningham, Theresa A." <Theresa.Cunningham@ci.minneapolis.mn.us>
To: <kate.reilly@ci.stpaul.mn.us>
Date: 4/13/2011 9:42 AM
Subject: Re-establishment of nonconforming use of 980 Fuller Ave.
Attachments: Cunningham, Theresa A..vcf

As an adjacent property owner (966 Aurora Ave.) to the referenced property, I'm writing to provide my full support for the referenced request. We anxiously await this property's come back to life after such a long time of abandonment and vacancy. Bravo!

Theresa Cunningham | Senior Project Coordinator | City of
Minneapolis | CPED
Office: 612.673.5237 | Fax: 612.673.5248 | Email:
theresa.cunningham@ci.minneapolis.mn.us
Mailing: 105 South 5th Avenue, Suite 200 | Minneapolis, MN 55401

1 of 2 · Checked 0 · Check all 2 · Single Line display

Display Property Full at 1 per page · View as 43

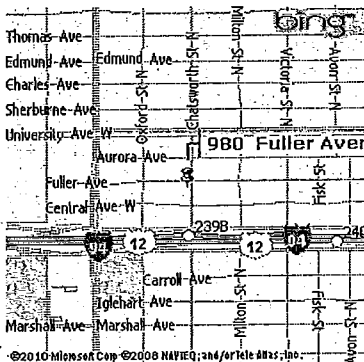
Previous · Next · [1] 2

Property Full Display, Multi-Family Residential, MLS #: 3982891

□ 980 Fuller Avenue, St. Paul, MN 55104-4717

Status: **Sold** List Price: **\$59,000** Sold Price: **\$65,000** Original List Price: **\$59,000**
 Seller Cont: **\$565**

Image 1 of 10 Slideshow · Open All



- ☒ WEBForms
- ☒ Add to Watched Items
- ☒ Report a problem with this listing

Map Page: 107 Map Coord: E4
 Directions:
 From Mpls 94E go to N Lexington Pkwy
 go N to Fuller Go East to home
 (Click Icon for Virtual Earth Map)

Total Units: 2 Garage: 1 Year Built: 1928

MLS Area: 741 - SP-Downtown Stp/Capital He
 Style: (MF) Duplex Up and Down
 Const Status: Previously Owned

Foundation Size:
 AbvGrdFinSqFt: 2,690
 BelGrdFinSqFt:
 Total Fin SqFt: 2,690
 Acres: 0.120
 Lot Size: 42X120

List Date: 10/20/2010 Received By MLS: 10/20/2010 Days On Market: 6 CDOM History
 Off Market Date: 11/01/2010 Selling Agent: Tou G. Vang
 Projected Close Date: 03/01/2011 Selling Office: Empire Realty LLC
 Date Closed: 03/04/2011

TAX INFORMATION

Property ID: 352923320090
 Tax Year: 2010
 Tax Amt: \$2,756
 Assess Bal: \$64
 Tax w/assess: \$2,820
 Assess Pend: Unknown
 Homestead: No

General Property Information

Legal Description: University Subdivision Of Lots Lot 1 Blk 5
 County: Ramsey
 School District: 625 - St. Paul 625 - St. Paul, 651-632-3701
 Complex/Dev/Sub: Owner Occupied:
 Restrictions/Covts:
 Lot Description:
 Road Frontage:
 Zoning: Accessibility: None

Remarks

Agent Remarks: HUD acquired, sold as is, see www.hudhomestore.com for procedures. Agent to verify all info & measurements. Please use book a showing for appointment.

Public Remarks: Nice sized up & down duplex on corner lot with detached 2 car garage.

Structure Information

Heat: Other No. of Ranges:
 Fuel: Other No. of Refrig:
 Water: City Water/Connected Basement: Unfinished
 Sewer: City Sewer/Connected Exterior: Stucco
 Garage: 1 Fencing:
 Parking Char: Roof:

Unit Information

Number of Units Like This: 1

Total Rooms: 4 Monthly Expense: \$
 Total Bedrooms: 2 Monthly Rent: \$
 Total Baths: 1 Full: 1 3/4: 0 1/2: 0 1/4: 0 Annual Rent: \$
 Bath Char: Finished Sq Ft: 1,345
 Fireplaces:
 Fireplace Char: Oth Park Spaces:
 Appliances:
 Amenities:
 Special Search:

Room	Level	Dimen	Room	Level	Dimen	Room	Level	Dimen
Living Rm	Main		Bedroom 1	Main				
Dining Rm			Bedroom 2	Main				
Family Rm			Bedroom 3					
Kitchen	Main		Bedroom 4					

Dining Room Desc:
Family Room Char:

Financial**Cooperating Broker Compensation**

Buyer Broker Comp: \$ 1.0000 Sub-Agent Comp: \$ 1.0000 Facilitator Comp: \$ 1.0000
Variable Rate: Y List Type: Service Agreement

Sale Mortgage Information

Sale Financial Terms: Cash
Sale Loan Amount: \$
Seller Contribution: \$565

Financial Remarks:

Sellers Terms: Conventional, Cash

Existing Financing:

In Foreclosure?: No

Lender Owned?: No

Potential Short Sale?: No

Owner Is an Agent?: No

Expenses

Owner Expense:

Tenant Expense:

Annual Electric Expense: \$

Annual Fuel Expense: \$

Annual Insurance Expense: \$

Annual Maintenance Expense: \$

Annual Gross Expense: \$

Total Annual Expenses: \$

Annual Repair Expense: \$

Annual Trash Expense: \$

Annual Water/Sewer Expense: \$

Annual Caretaker Expense: \$

Income

Annual Gross Income: \$

Annual Net Income:

Monthly Misc. Income:

Annual Misc. Income:

Contact Information

Listing Agent: Linda Wallin 763-786-3010

Listing Office: Wallin Residential Properties

Office Phone: 763-786-3010

MLS #: 3982891 Address: 980 Fuller Avenue , St. Paul, MN 55104



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Code Compliance Report

December 24, 2009

WELLS FARGO / Erik Laine
1 HOME CAMPUS X2303-03B
DES MOINES IA 50328

Re: 980 Fuller Ave
File#: 08 095085 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on December 21, 2009.

Please be advised that this report is accurate and correct as of the date December 24, 2009. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from December 24, 2009. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected:

BUILDING

Inspector: Ken Eggers

Phone: 651-266-9047

- Dry out basement and eliminate source of moisture
- Remove mold, mildew and moldy or water damaged materials
- Permanently secure top and bottom of support posts in an approved manner
- Cover water meter pit with concrete or decay resistant, screw down cover
- Install 20 minute fire rated doors, with self closing device, between common areas and individual units.
- Maintain one hour fire separation between dwelling units and between units and common areas
- Relocate 2nd floor electrical panel to 2nd floor unit or to common area; or protect panel and access corridor leading from common area to panel with 1 hour fire rated enclosure.
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post per attachment.
- Strap or support top of stair stringers
- Install tempered or safety glass in window over stair landing to code
- Install tempered or safety glass in window over bathtub to code

Re: 980 Fuller Ave
Page 2

BUILDING

Inspector: Ken Eggers

Phone: 651-266-9047

- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc. as necessary
- Provide complete storms and screens, in good repair for all door and window openings
- Provide operable hardware at all doors and windows
- Repair or replace damaged doors and frames as necessary, including storm doors
- Weather seal exterior doors
- Install floor covering in bathroom and kitchen that is impervious to water.
- Repair walls, ceiling and floors throughout, as necessary
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedure if lead base paint is present (See St Paul Legislative Code, Chap. 34 for additional information).
- Where wall and ceiling covering is removed install full thickness or code-specified insulation
- Install attic insulation according to applicable code
- Air-seal and insulate attic access door in an approved manner
- Provide smoke detectors per the MN Building Code and carbon monoxide detectors per State Law.
- Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation of garage.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around garage to direct water away from foundation of garage.
- Install downspouts and a complete gutter system.
- Install rain leaders to direct drainage away from foundation.
- Provide general rehabilitation of garage.
- Install address numbers visible from street and alley.
- Close in open stair risers to maintain an opening no greater than 4 inches
- A building permit is required to correct the above deficiencies
- Have fireplaces inspected by a licensed technician and forward the report to the DSI office for over review.
- Repair kitchen cabinets on main level.
- Repair or replace overhead garage door.
- Install service door at garage.
- Remove nuisance trees at house and garage foundations.

ELECTRICAL

Inspector: Mike Popovich

Phone: 651-266-9035

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Provide a complete circuit directory at service panel indicating location and use of all circuits

Re: 980 Fuller Ave

Page 3

ELECTRICAL **Inspector: Mike Popovich**

Phone: 651-266-9035

- Verify that circuit breaker amperage matches wire size
- Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched on from the top of the stairs
- Install/replace GFCI receptacle in basement/first/second bathroom adjacent to the sink
- Ground bathroom light in second floor bathroom and disconnect receptacle on fixture
- Install globe-type enclosed light fixture on all closet lights
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets
- Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Properly wire exterior lights at front door
- Install exterior lights at back entry doors
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Check building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panel board to the second unit
- Replace all painted-over receptacles.
- Throughout building, install outlets and light fixtures as specified in Bulletin 80-1.
- Rewire boilers to code
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).

PLUMBING **Inspector: Tom Schweitzer**

Phone: 651-266-9055

- Basement - Water heater - gone/replace
- Basement - Water Meter - raise meter to a minimum 12 inches above floor
- Basement - Water Meter - support meter properly
- Basement - Water Piping - boiler fill water line requires backflow assembly or device
- Basement - Water Piping - improper fittings or usage
- Basement - Water Piping - improper piping or usage
- Basement - Water Piping - pipe sizing incorrect
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping
- Basement - Water Piping - run 1 inch water line from meter to first major take off
- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect

Re: 980 Fuller Ave
Page 4

PLUMBING

Inspector: Tom Schweitzer

Phone: 651-266-9055

- Basement - Gas Piping - replace corroded piping
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage
- Basement - Soil and Waste Piping - no front sewer clean out; no soil stack base clean out
- Basement - Soil and Waste Piping - replace corroded cast iron or steel waste piping
- Basement - Laundry Tub - provide a vacuum breaker for the spout
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect
- First Floor - Sink - unvented
- First Floor - Sink - waste incorrect
- First Floor - Toilet Facilities - incorrectly vented
- First Floor - Tub and Shower - replace waste and overflow
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect
- Second Floor - Sink - remove waters from outside wall
- Second Floor - Tub and Shower - waste incorrect
- Exterior - Lawn Hydrants - Requires backflow assembly or device

HEATING

Inspector: Bill Daly

Phone: 651-266-9042

- Clean and Orsat test both boiler burners. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating unit is safe
- Install approved metal chimney liner
- Vent clothes dryer to code
- Mechanical permits are required for the above work.
- All copper pipes have been stripped out. Re-pipe both systems to present code.

ZONING

1. This property is in a (n) R4 zoning district.
2. This property was inspected as a Duplex.

This property was inspected as a Duplex which is not permitted in this zoning district; this property may be a non-conforming use and will require zoning approval before a sale can be approved, any permits may be issued or any work on the property is started.

Notes:

- See attachment for permit requirements and appeals procedure.
- Most of the roof covering could not be inspected from grade. Recommend this be done before rehabilitation is attempted.

Re: 980 Fuller Ave
Page 5

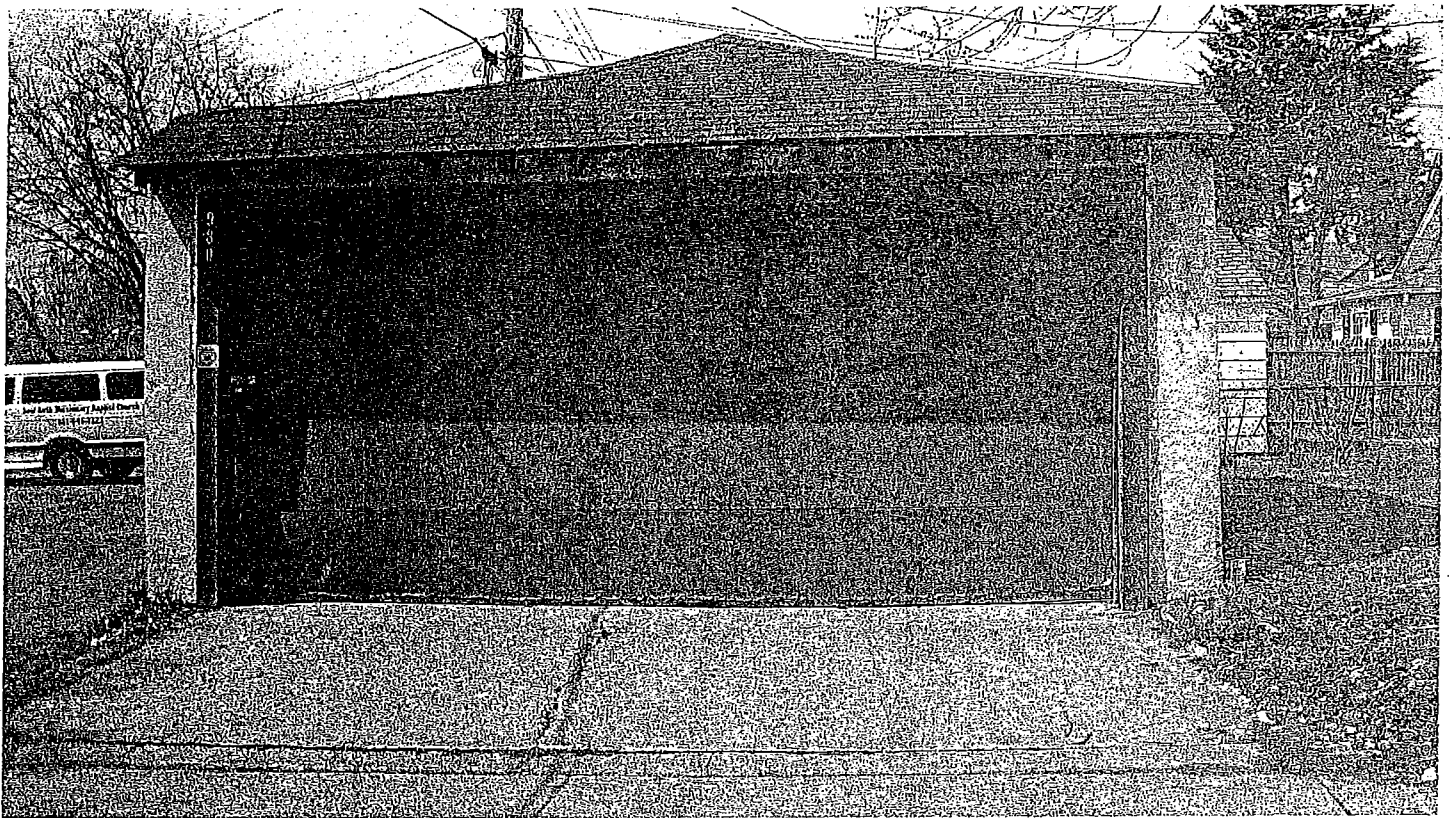
This is a registered vacant building. In order to sell or reoccupy this building, all deficiencies listed on this code compliance report must be corrected within six (6) months of the date of this report. One (1) six-month time extension may be requested by the owner and will be considered if it can be shown that the code compliance work is proceeding and is more than fifty (50) percent complete in accordance with Legislative Code Section 33.03(f).

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this notice when you appeal, and pay a filing fee.)

If you have any questions regarding this inspection report, please contact Ken Eggers between 7:30 - 9:00 AM at 651-266-8989 or leave a voice mail message.

Sincerely,

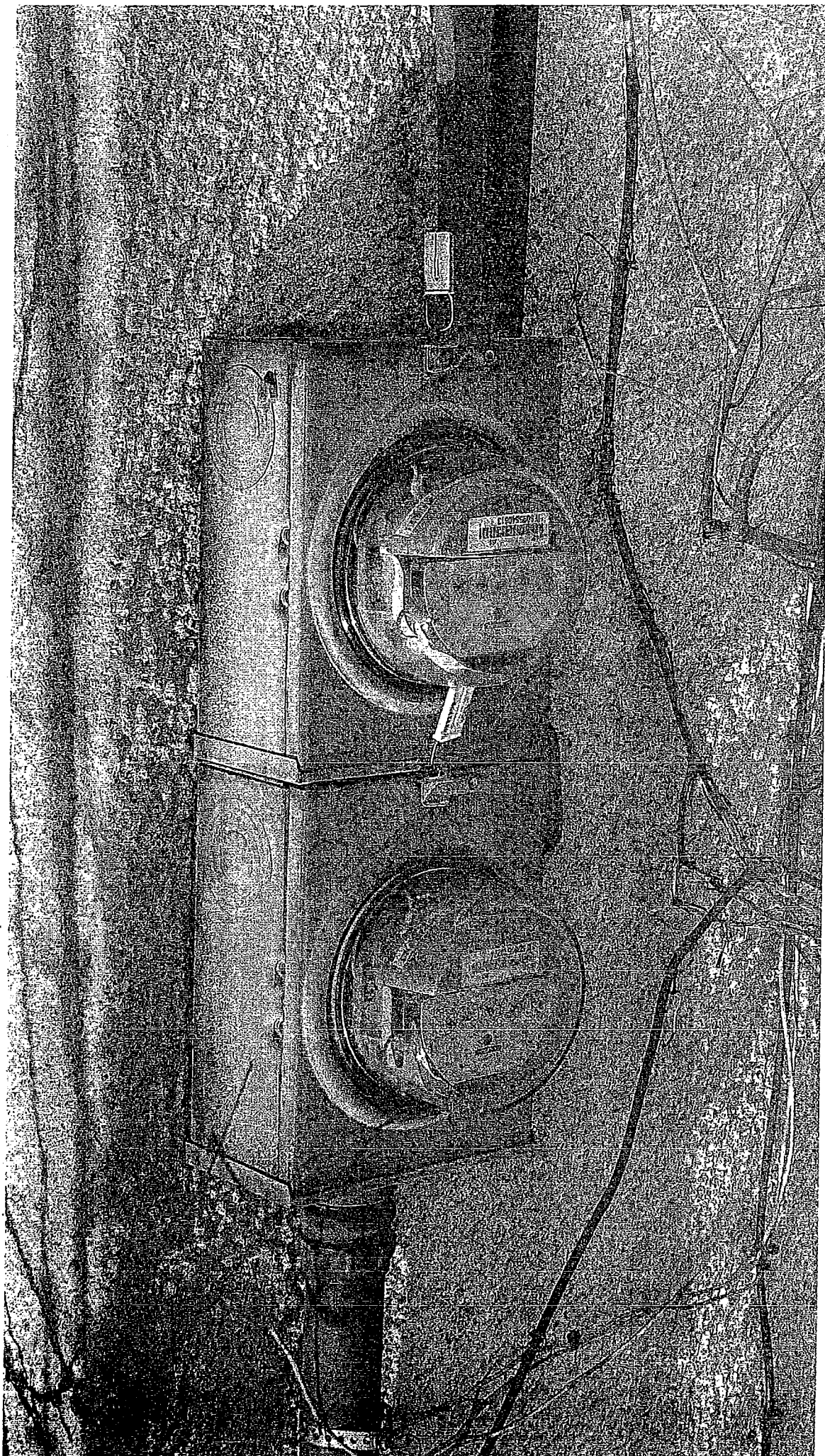
James L. Seeger
Code Compliance Officer
JLS:ml
Attachments

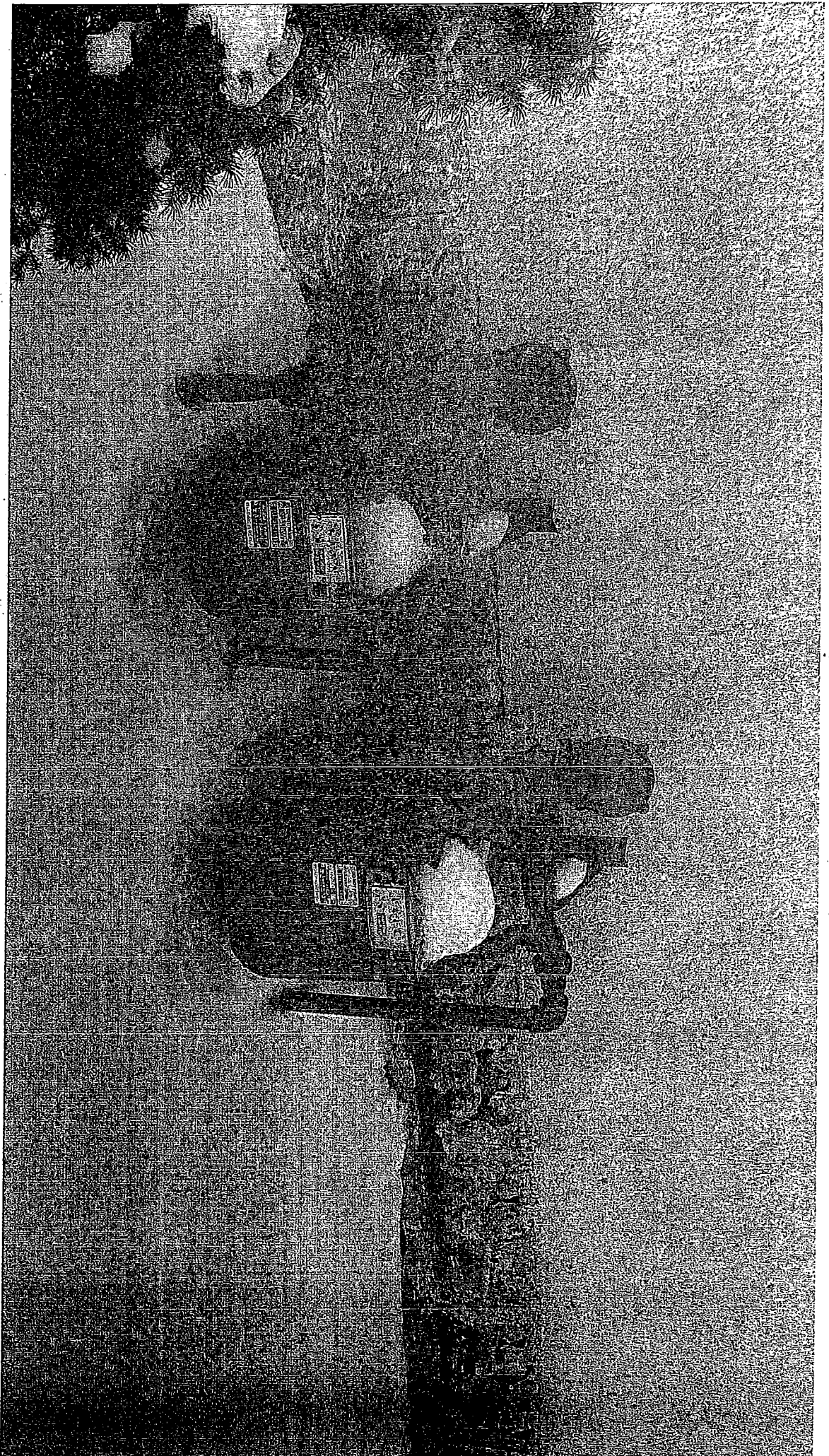


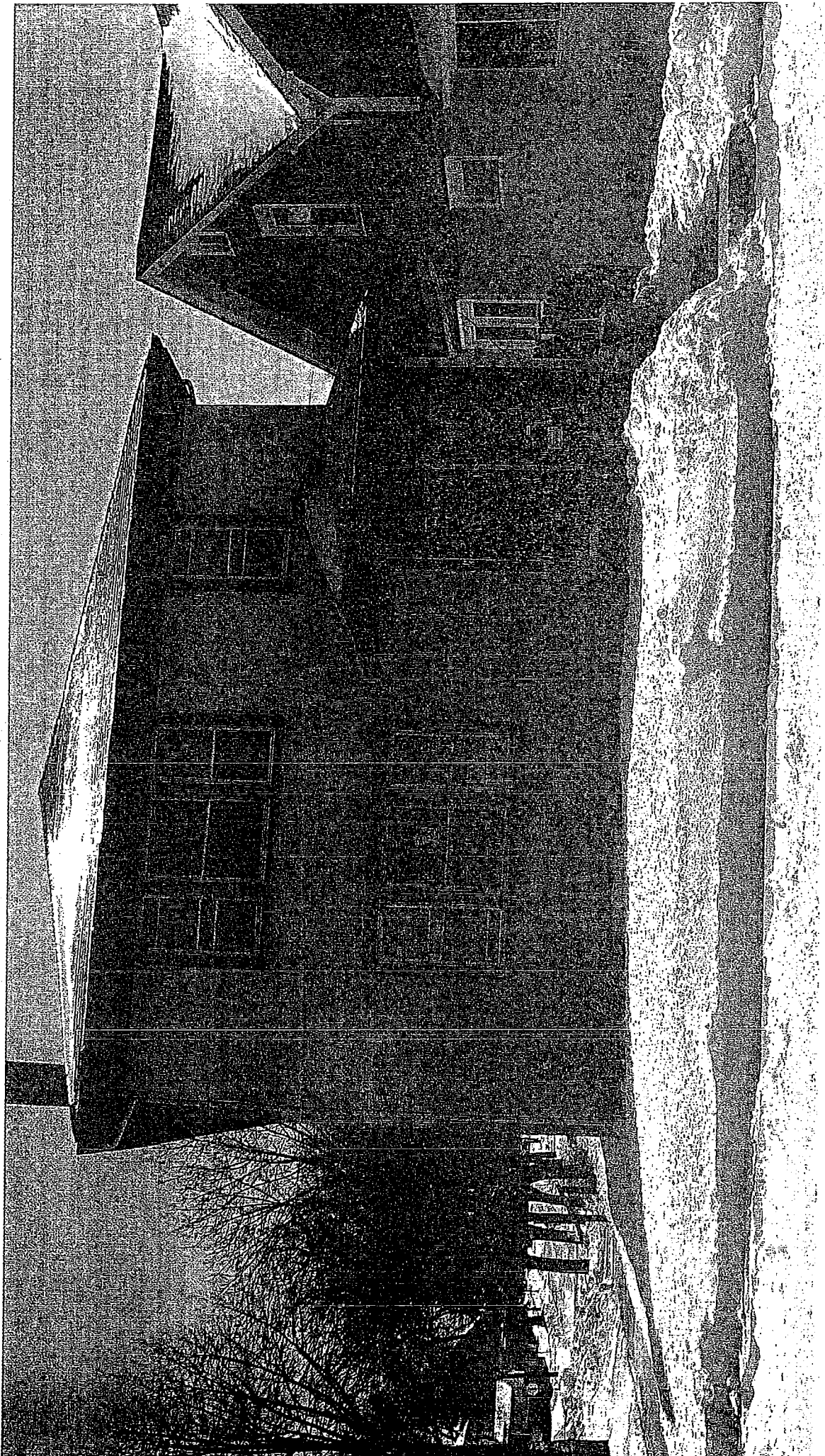
980-982 Fuller – Garage (2-car)

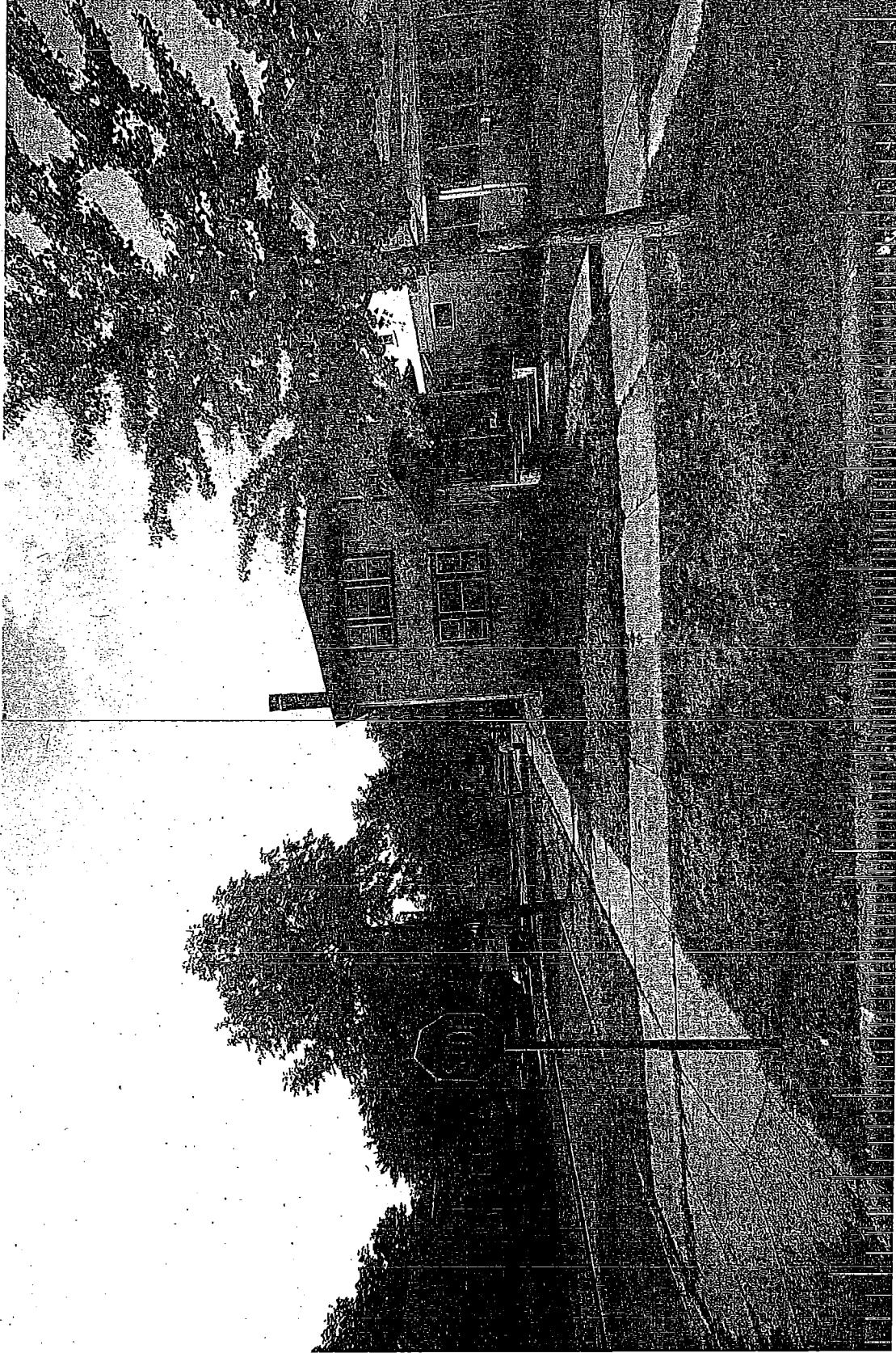


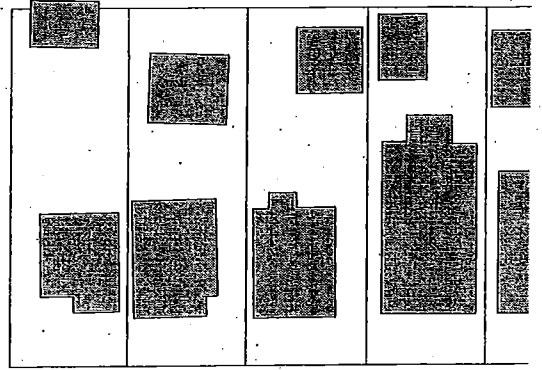
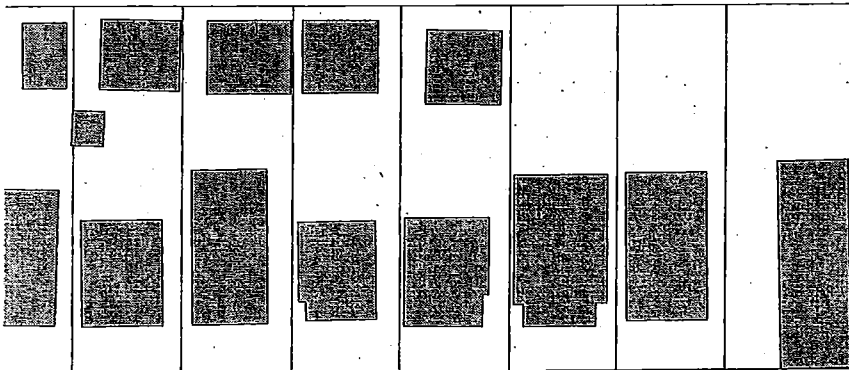
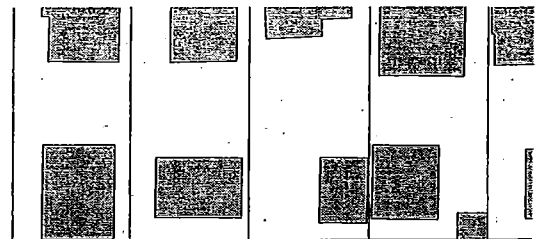
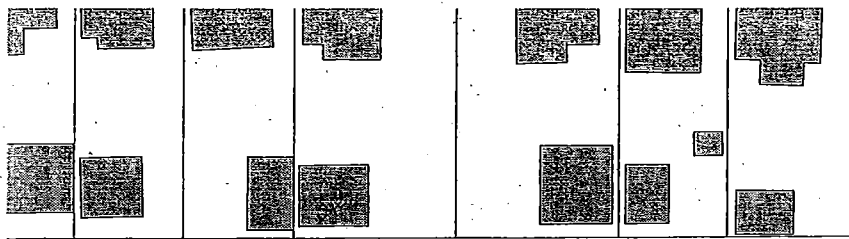
980-982 Fuller



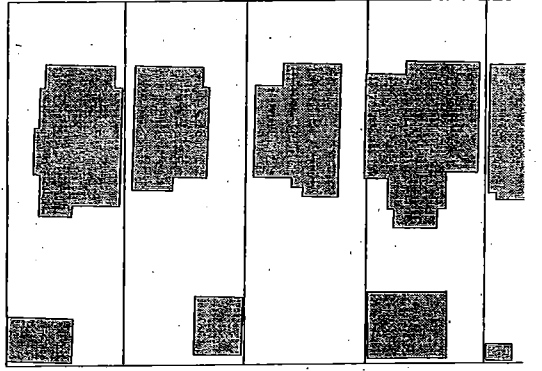
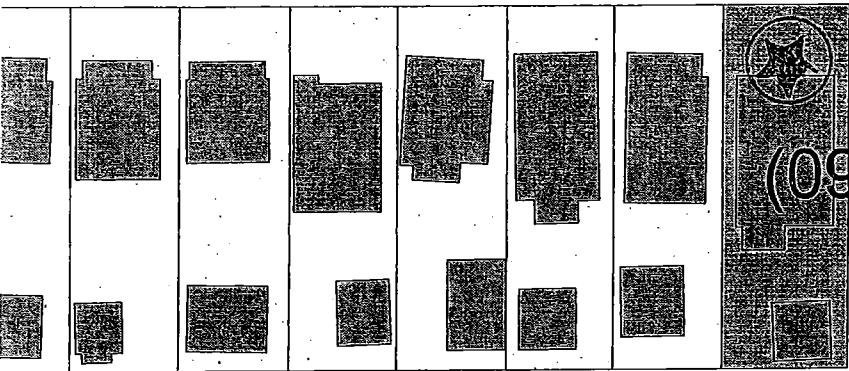




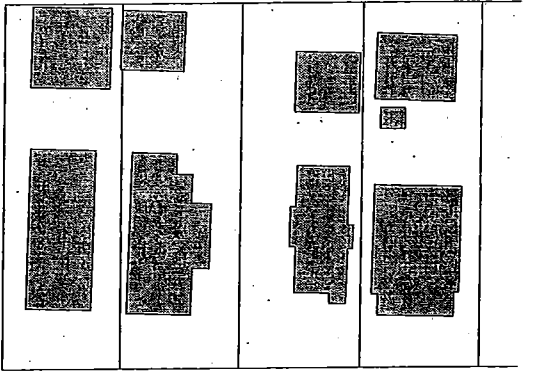
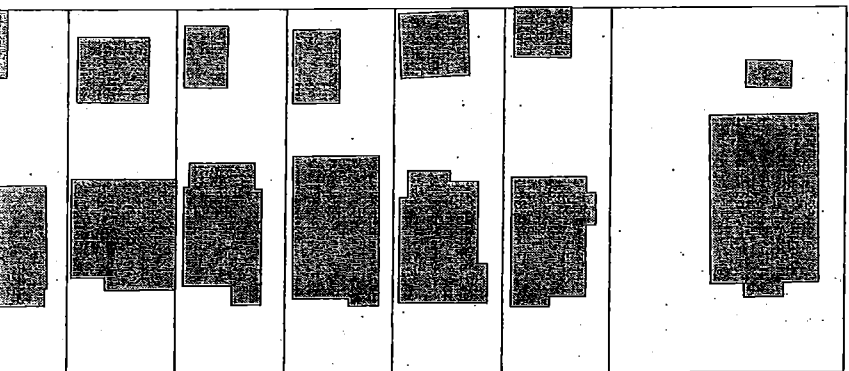




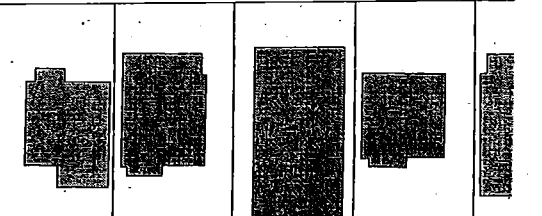
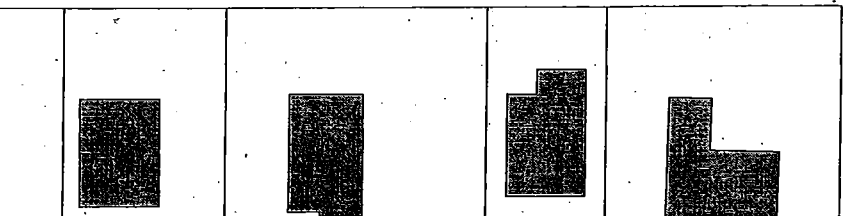
FULLER



(090) CHATSWORTH



CENTRAL



B3

pl

AURORA

AVE.

RT1

Fuller

AVE.

R4

Central

AVE.

St. Anthony

AVE

I-94

Chatsworth

Milton

Oxford

APPLICANT

Teng Scott VANG

PURPOSE

RE-Establishment NCUP

FILE #

11-115463

DATE

4-1-11

PLNG. DIST

8

Land Use Map #

19

Zoning Map #

14

SCALE 1"=400'

LEGEND

zoning district boundary

subject property

one family

two family

multiple family

commercial

industrial

v vacant



ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** TNT Fireworks **FILE #** 11-116-461
 2. **APPLICANT:** TNT Fireworks **HEARING DATE:** April 21, 2011
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1440 University Ave W, NE corner of Pascal and St. Anthony
 5. **PIN & LEGAL DESCRIPTION:** 342923310021, Auditors Subdivision No 27 Subj To St; The Fol Part Of Vac J F Eisenmengers 2nd Add & In Sd Kittsondale Being Aud Sub No.27 Part Of Lots 17,18 & 19 Desc As Beg At Int Of El Of W 30 Ft Of Ne 1/4 Of Sw 1/4 Of Sec 34 Tn 29 Rn 23 & Nl Of Hwy 94 Th N On Sd El
 6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** B2
 7. **ZONING CODE REFERENCE:** § 65.525; §65.526 § 61.501; § 61.502
 8. **STAFF REPORT DATE:** April 12, 2011 **BY:** Kate Reilly
 9. **DATE RECEIVED:** March 29, 2011 **60-DAY DEADLINE FOR ACTION:** May 28, 2011
-

- A. **PURPOSE:** Conditional use permit for seasonal outdoor sales of consumer fireworks
- B. **PARCEL SIZE:** 27,8054 sq. ft.
- C. **EXISTING LAND USE:** C-Grocery Store
- D. **SURROUNDING LAND USE:**

The site where the fireworks sales would occur is in the Midway Marketplace parking lot and is surrounded by retail uses and parking.
- E. **ZONING CODE CITATION:** : §65.526 permits the outdoor sales of consumer fireworks provided certain conditions are met; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** In 2003, the Planning Commission approved a determination of similar use for fireworks sales in the B2 district as well as a conditional use permit for the parcel to the north, also in Midway Marketplace (File # 03-301-666). That use was not established. In 2004, another CUP for fireworks sales was approved by the Planning Commission for the previous parcel (File # 04-072-240). This approval was overturned by the City Council on appeal (File # 04-098-679). In 2007, the City Council adopted an ordinance regulating outdoor sales of consumer fireworks (C. F. 07-633). In 2010 the Planning Commission approved a CUP with modifications for fireworks sales on this same parcel (File # 10-320-034.)
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council had not commented at the time this staff report was complete.
- H. **FINDINGS:**
 1. TNT Fireworks proposes to occupy approximately 12 parking spaces in the parking lot north of Cub Foods in the Midway Marketplace shopping center for the purpose of selling consumer fireworks. A 30 ft. x 45 ft. tent will be erected for the sales. The leased area will also include space for a locked storage container to hold the fireworks when the business is closed. Proposed sales dates are June 25 to July 5, 2011, a period of 12 days. Proposed hours of operation are 9 a.m. to 8 p.m. each day.
 2. The Zoning Code permits the outdoor sale of consumer fireworks as a conditional use in the B3 general business district subject to the standards and conditions of Section 65.526. Minnesota Statutes Sec. 624.20 Subd. 1(d) requires that outdoor sales of fireworks be permitted in those zoning districts where other outdoor sales are permitted, and the Saint Paul zoning code permits certain other outdoor sales in the B2 community business district. The standards and conditions for outdoor commercial sale of consumer fireworks are as follows:
 - (a) *The standards and conditions of section 65.525 shall apply: Sec. 65.525 states: The use shall not conflict with off-street parking, off-street loading and the system of*

shopping district, with a restored street and block structure and a vital mix of uses." Because of the temporary and seasonal nature of this use, it does not conflict with these plans. The use is also generally consistent with Policy 18 in the Snelling-Hamline Neighborhood Plan Summary (adopted in 2008), which states: "Support the Midway Business District (located between University Avenue and I-94, along Hamline and Pascal), for use by the local community as well as regional consumers."

- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The site where the sales will be located should not interfere with ingress and egress from the adjacent public streets.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. This use is temporary and seasonal in nature and will not permanently change the character of the area. Provided the applicant complies with all of the requirements of the National Fire Prevention Association (NFPA) standard as enforced by the Fire Marshal, the use will not endanger the public health, safety or general welfare.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will be temporary and seasonal in nature and will not impede the development and improvement of other properties in Midway Marketplace for uses permitted in the B2 zoning district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use is seasonal and located in a temporary structure, and complies with applicable regulations. The sales area within the tent requires 6 off-street parking spaces, which are available in the existing shopping center parking lot.

I. STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the Conditional use permit for seasonal outdoor sales of consumer fireworks subject to the following additional conditions:

1. A permit from the Fire Marshal is approved and posted as required.
2. The use complies with all local and state regulations pertaining to the sales of consumer fireworks.
3. The consumer fireworks shall be securely stored during non-sales hours.

**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

RECEIVED

MAR 29 2011

Per _____

Zoning Office use only
File # 11-116461
Fee 800.00
Permitting Review Date 4-21-11

PD-13

#342923310021

APPLICANT

Name TNT Fireworks
Address 2109 59th Ave S
City Fargo St. ND Zip 58104 Daytime Phone 701-400-7662
Name of Owner (if different) Terry Anderson
Contact Person (if different) Chris Ulmer Phone 701-400-7661

PROPERTY LOCATION

Address / Location Midway Market Place 1360 University Ave W.
Legal Description _____
Current Zoning B2
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
Chapter 65, Section 526, Paragraph _____ of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

* See attached

RECEIVED

MAR 31 2011

Per _____



Required site plan is attached

Applicant's Signature _____

Date

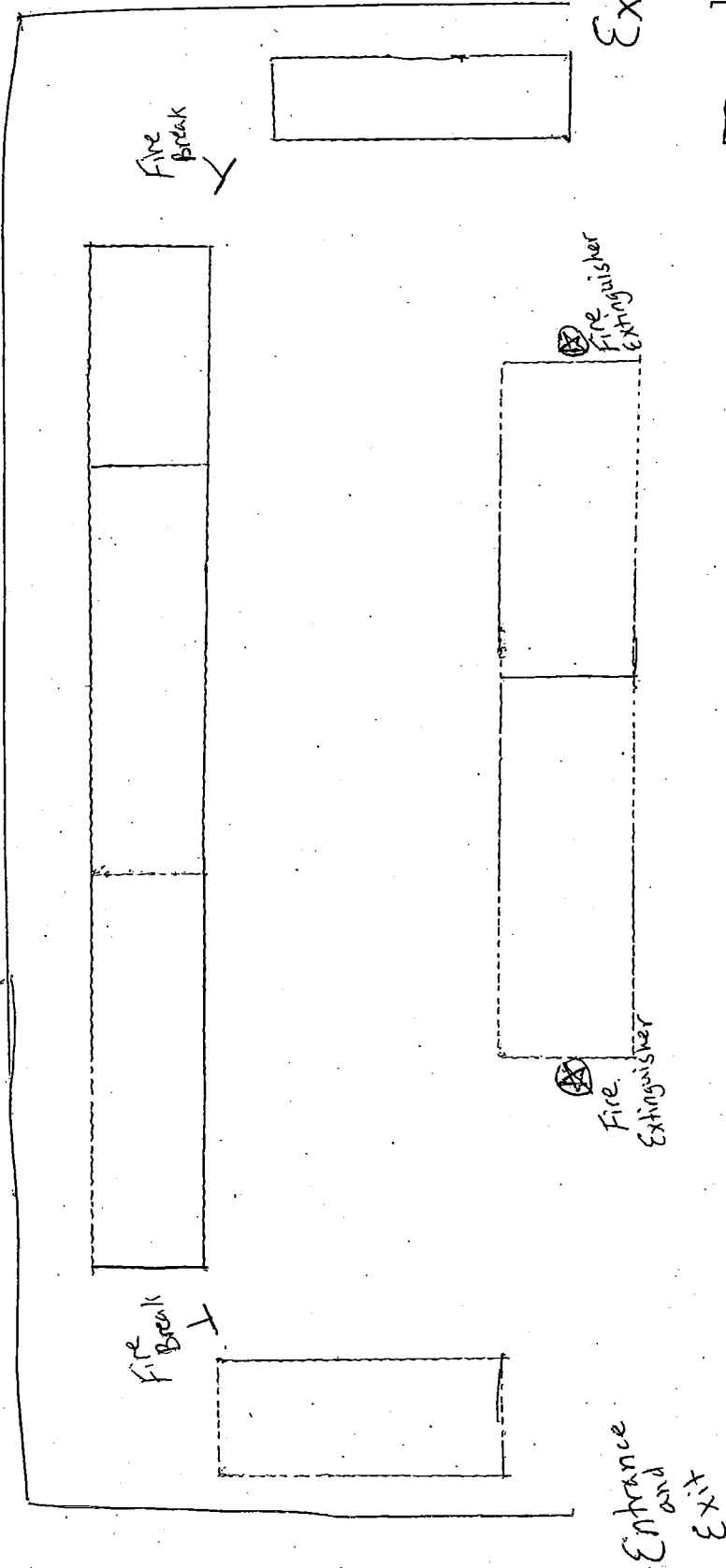
3/31/11

City Agent

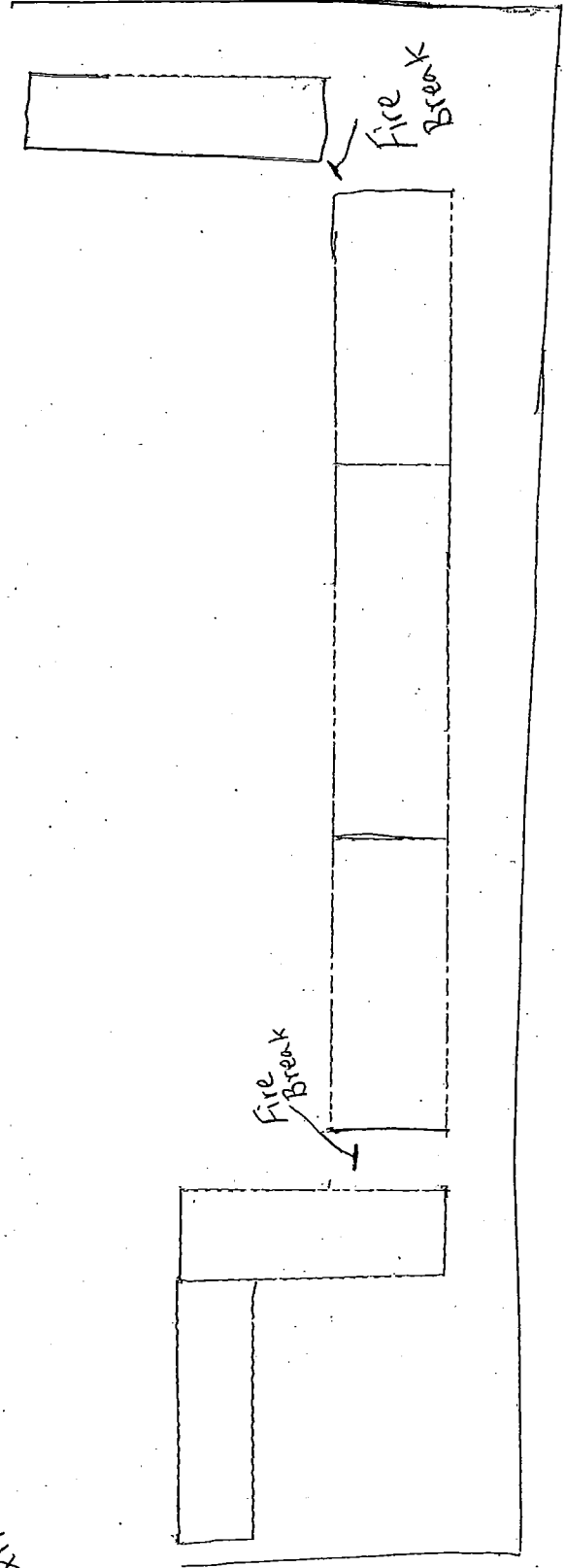
odd
13-31-11

Interior
Floor plan

40'



30'



N Pascal St

Tent 30x40' OR 20x40'

93°09'36.99" W

elev. 927 ft

Apr 2006

File all

©2011 Europa Technologies
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Image U.S. Geological Survey
©2011 Google

Google

NPascal St

1360 University Ave W, St Paul, MN 55104

43°N 93°09'36.00"W

elev. 928 ft

© 2011 Europa Technologies
Image: U.S. Geological Survey
Data: SIO, NOAA, U.S. Navy, NGA, GEBCO
© 2011 Google

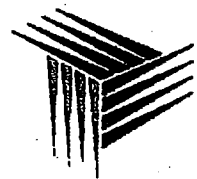
Apr 2006

Google

In response to Sec. 65.526

- A) Our outdoor sales will not conflict with any off-street parking or loading and there will be no harm to pedestrian flow.
- B) We will follow the selling dates listed.
- C) We are not within 20 feet of another structure.
- D) We are not within 100 feet of the property line.
- E) We will supply a no-smoking perimeter and post "no smoking" sign throughout the tent and well as on the outside of the fireworks tent.
- F) We are not within 50 feet of a fuel dispenser.
- G) The merchandise will be secured after business hours.

4 outside
2 inside
perimeter.



**DEVELOPERS
DIVERSIFIED
REALTY®**

March 14, 2011

2011 Season

STATEMENT OF PROPERTY OWNER PERMISSION

For Temporary Sales of Fireworks

To Whom It May Concern:

Permission is hereby granted to American Promotional Events, Inc. dba TNT Fireworks for the request to operate a sale of fireworks at Midway Marketplace, 1360 University Avenue W, St. Paul, MN 55104.

The organization and/or American Promotional Events, Inc. dba TNT Fireworks agree to leave the premises clean and clear of any and all debris after dates of occupancy.

The sale, as agreed, shall begin on June 20, 2011 and run through July 10, 2011. Permission is granted for the retail sale of fireworks and for the installation of a tent as part of the event.

If you have any questions, please do not hesitate call me direct at (216) 755-6444.

Sincerely,

DEVELOPERS DIVERSIFIED REALTY

Brian Reiss
Director of Temp Leasing, Community
Centers

Cc: - Joe Hollis
American Promotional Events, Inc.
dba TNT Fireworks

Subscribed and sworn to before me, in my
presence, this 14th day of March 2011,
A Notary Public in and for the Trumbull
county state of Ohio.

Christine Weaver, Notary Public
My commission expires February 13, 2016



CHRISTINE WEAVER
Notary Public, State of Ohio
Trumbull County
My Commission Expires
February 13, 2016

CITY OF SAINT PAUL, MINNESOTA
(CUP)

ZONING FILE NO: 10-320-034

APPLICANT: Renaissance Fireworks

PURPOSE: Conditional use permit for outdoor seasonal sales of consumer fireworks

LOCATION: 1440 University Ave W

LEGAL DESCRIPTION: PIN 342923310021, Auditors Subdivision No 27 Subj To St; The Fol Part Of Vac J F Eisenmengers 2nd Add & In Sd Kittsondale Being Aud Sub No.27 Part Of Lots 17,18 & 19 Desc As Beg At Int Of El Of W 30 Ft Of Ne 1/4 Of Sw 1/4 Of Sec 34 Tn 29 Rn 23 & Nl Of Hwy 94 Th N On Sd El

ZONING COMMITTEE ACTION: Recommended approval with conditions on May 27, 2010

PLANNING COMMISSION ACTION: Approved with conditions on June 4, 2010

CONDITIONS OF THIS PERMIT: Conditions specified in Sec. 65.526 and the following additional conditions:

1. Sales of consumer fireworks may occur from June 18 through July 4, 2010, during the hours of 9 am-8 pm daily.
2. A permit from the Fire Marshal is approved and posted as required.
3. The use complies with all local and state regulations pertaining to the sales of consumer fireworks.
4. The consumer fireworks shall be securely stored during non-sales hours

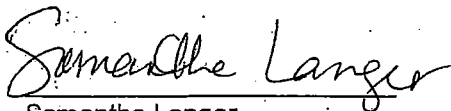
APPROVED BY: Kathi Donnelly-Cohen, Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on June 4, 2010, and on record in the Saint Paul Planning Office, 25 West Fourth Street, Saint Paul, Minnesota.

This permit will expire two years from the date of approval if the use herein permitted is not established, subject to administrative extension not to exceed one year (§ 61.105). If one of the following occurs, the use herein permitted shall automatically expire: the use is established but subsequently is discontinued for 365 days or is replaced by another use, the lot area is reduced, or as otherwise provided in § 65.505

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1400 City Hall Annex, 25 West Fourth Street. **Any such appeal must be filed within 10 calendar days of the date of the Planning Commission's decision.**

Violation of the conditions of this permit may result in its revocation.

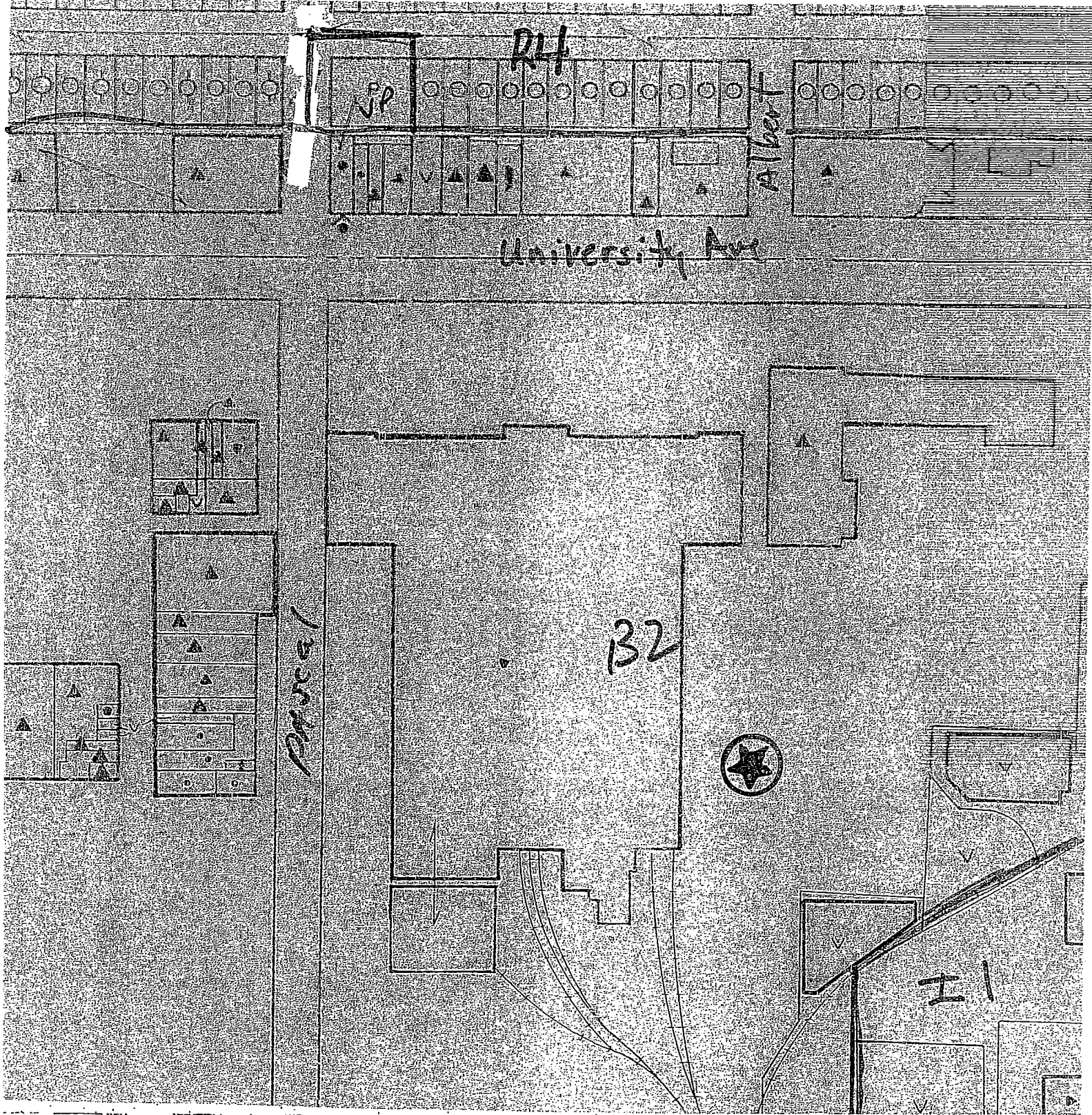


Samantha Langer
Secretary to the Saint Paul
Zoning Committee

Copies to:
Applicant Renaissance Fireworks
File No. 10-320-034
District Council 13

Mailed: June 4, 2010

1-4



APPLICANT TNT Fireworks
 PURPOSE Conditional Use
 FILE # _____ DATE 3-30-11
 PLNG. DIST 13+11 Land Use Map # 18
 Zoning Map # 14

LEGEND

zoning district boundary

subject property

○ one family

⊙ two family

⊕ multiple family

commercial

industrial

vacant

PED

north

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Pink Dog Holdings LLC **FILE #** 11-116-521
 2. **APPLICANT:** Pink Dog Holdings LLC **HEARING DATE:** April 21, 2011
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 2585 7th St W, between Wheeler and Wordsworth
 5. **PIN & LEGAL DESCRIPTION:** 212823130065, Homecroft An Addition To the City of Saint Paul
Lots 4 And Lot 5, Blk 5
 6. **PLANNING DISTRICT:** 15 **PRESENT ZONING:** B3
 7. **ZONING CODE REFERENCE:** § 65.531; § 61.501; § 61.502
 8. **STAFF REPORT DATE:** April 13, 2011 **BY:** Sarah Zorn
 9. **DATE RECEIVED:** March 31, 2011 **60-DAY DEADLINE FOR ACTION:** May 30, 2011
-

- A. **PURPOSE:** Conditional use permit for a pawn shop, with modifications of required 150 ft. distance between building and residentially zoned property and 1,320 ft. separation requirement from alternative financial establishments
- B. **PARCEL SIZE:** 100 ft. (West 7th Street) x 115 ft. = 11,500 sq. ft.
- C. **EXISTING LAND USE:** Vacant commercial
- D. **SURROUNDING LAND USE:**
North: Single family residential (R3)
East: Vacant commercial building (B3)
South: Multifamily residential (B2)
West: Commercial and retail uses (B3)
- E. **ZONING CODE CITATION:** §65.531 lists the standards and conditions for a pawn shop; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** There is no history specific to this property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 15 Council has recommended denial of the application.
- H. **FINDINGS:**
 1. The applicant proposes to renovate the existing vacant commercial building for use as a pawn shop. The site plan provided indicates that there will be eight parking spaces. In addition, landscaping will be provided on the north and east side of the parking lot and north of the building.
 2. §65.531 defines pawn shop and lists the following standards and conditions that must be satisfied to permit the use:
 - (a) *The business shall be conducted within a completely enclosed building.* This condition is met. The pawn shop will be located within the existing building. No outside sales are proposed.
 - (b) *The building in which the business is located shall be at least one hundred fifty (150) feet from the closest point of any residentially zoned property.* This condition is not met. The applicant has requested a 95 foot modification of this condition.

This condition may be modified pursuant to section 61.500 subject to the following conditions:

 - (1) *There is no existing pawn shop within five thousand and two hundred eighty (5,280) feet of the proposed location, measured from the nearest building wall of the existing pawnshop to the nearest building wall of the proposed use, or if there is no building, to the nearest lot line of the proposed use.* This condition is met. The nearest pawnshops are located farther than one mile from the proposed location.
 - (2) *Customer entrances shall not be oriented toward residentially zoned property.* Customer

parking shall not be closer to residentially zoned property than the primary entrance. This condition is not met. The applicant has proposed three entrances for the use. Two primary entrances exist and are oriented toward West 7th Street and the parking lot respectively. The door on West 7th Street will likely be a primary entrance for pedestrians, while the door facing the parking lot will be a primary entrance for those arriving by car. An additional entrance has been proposed on the northwest end of the building. While the door is oriented toward the parking lot, the entrance is closer to the adjacent residentially zoned property. The applicant has stated that the proposed entrance can be considered a third primary building entrance, therefore satisfying the condition that the parking is not closer to residentially zoned property than the primary entrance. However, floor plans indicate that the proposed entrance is at the rear of the store without direct visual or physical access to a point of sale location. This entrance does not have the characteristics of a primary entrance, particularly because there are two other doors that will be more convenient for many if not most business patrons.

- (3) *The location of a pawnshop at this location will not be contrary to any adopted district plan or other city program for neighborhood conservation or improvement, either residential or nonresidential.* This condition is met. Locating a pawnshop on the proposed site is not in conflict with any adopted district plan or city program.
 - (4) *The proposed use meets all other requirements for conditional use permits provided in section 61.500.* This condition is not met since the third condition in §61.501 (finding 4) is not met.
 - (c) *No pawn shop shall be located within one thousand three hundred twenty (1,320) feet of any alternative financial establishment, measured from the nearest building wall of the existing establishment to the nearest building wall of the proposed use, or if there is no building, to the nearest lot line of the proposed use.* This condition is not met. The applicant has requested a modification of approximately 590 feet from this condition. There is a Cash-a-Check located in the Sibley Plaza shopping center, the nearest building wall of which is approximately 730 feet from the building that would house the proposed use.
3. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is not met. The applicant has not provided evidence of unreasonable limitation on the use of this property or an exceptional undue hardship. The intent of the special condition in §65.531(c) is to prevent clustering of such establishments. The proposed pawn shop would only be approximately one standard city block from the alternative financial establishment. Granting the requested modification of the distance requirement from alternative financial establishments would undermine the intent of the condition.
4. §61.501 lists five standards that all conditional uses must satisfy:
- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The pawnshop as a retail use is consistent with the city's Comprehensive Plan and is proposed along one of the mixed-use corridors identified in the plan. Objective 1.24 (p. 14) in the Land Use chapter of the Comprehensive Plan supports a mixture of uses in mixed-use corridors with commercial offices, retail goods and services. The site also falls within the Gateway area identified in the *Fort Road Development Plan* (2005) and the *Shepard Davern Gateway Small Area Plan* (1999). Both plans envision the

Gateway node as an inviting and vibrant area with a mixture of commercial, retail and housing uses.

- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The applicant proposes to use the existing point of ingress/egress, which is sufficient to serve the use.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is not met. The proposed use will be located within an existing building but will be within 150 ft. residential land. Therefore the use could affect the character of development in the immediate neighborhood.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will not negatively affect the development and improvement of surrounding commercial property.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The proposed use will conform to all applicable regulations in the B3 zoning district.

I. **STAFF RECOMMENDATION:** Based on findings 2(b), 2(c), 3, and 4(3), staff recommends denial of the conditional use permit for a pawn shop, and denial of modifications of the required 150 ft. distance between the building and residentially zoned property and the 1,320 ft. separation requirement from alternative financial establishments.

**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only	
File #	11-116521
Fee	800.00
Tentative Hearing Date	4-21-11

PD = 15

212823130065

APPLICANT

Name Pink Dog Holdings LLC
Address 34 13th Ave. NE, Suite 104
City Minneapolis St. MN Zip 55413 Daytime Phone 612-455-1083
Name of Owner (if different) Ryan McCabe
Architect - Scott England 612-676-2700
Contact Person (if different) Lawyer - Patrick Smith Phone 612-825-9784

**PROPERTY
LOCATION**

Address / Location 2585 West Seventh Street, St. Paul, MN
Legal Description Lots 4 and 5, HOMEDROFT an addition to the City of St. Paul, Ramsey
County, Minnesota Current Zoning B-3
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
Chapter 65, Section 531, Paragraph (b), (c) of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Refer to attached memo from DJR Architecture.

RECEIVED

MAR 30 2011

Per _____

C/L
27985
800⁰⁰☐ Required site plan is attachedApplicant's Signature [Signature] Date 3-30-11 City Agent add

3-30-11

March 28, 2011

City of St. Paul, Planning Commission
375 Jackson Street, Suite 220
St. Paul, MN 55101

Conditional Use Permit Application
2585 West Seventh Street
Max It Pawn Store

Dear Commissioners:

The potential owner of the property located at 2585 West Seventh Street respectfully request approval of a Conditional Use Permit for the renovation of the existing building and its site for use as a new Max It Pawn store.

The items listed below address the required findings of City of St. Paul Code, Section 61.501 and 65.531.

Section 61.501 – Conditional use permit, general standards

- (a) The extent, location and intensity of the use will be in substantial compliance with the St. Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.

The site is designated as part of a Mixed-Use Corridor. The proposed use as a pawnshop is consistent with the types of uses identified in this district, most specifically retail.

- (b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

The existing site access opens directly onto West Seventh Street. The proposed access will be at the same location, however the width of the curb cut is to be reduced. The proposed parking lot will reduce the number of parking stalls, which will reduce this site's affect on any traffic congestion in this part of the city.

- (c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

This area of the city currently has a variety of uses including several smaller retail establishments. The proposed renovation of this existing building for use as a pawnshop maintains the current character of the neighborhood. This use will have no negative affect on the public health, safety or general welfare.

- (d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

This part of West Seventh Street is fully developed as a mixed-use district. The proposed addition of this pawnshop will enhance this district by providing another type of retail opportunity. This development should have no affect on the ability to further develop the surrounding properties.

- (e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

A pawnshop is a permitted conditional use within the B-3 district. The renovation of the building will conform to the regulations of the zoning ordinance.

Section 65.531 – Pawn Shop.

- (b) The building in which the business is located shall be at least one hundred fifty (150) feet from the closest point of any residentially zoned property; provided, however, that this condition may be modified pursuant to Section 61.500 subject to the following conditions:

- (1) There is no existing pawnshop within five thousand two hundred eighty (5,280) feet of the proposed location, measured from the nearest building wall of the existing pawnshop to the nearest building wall of the proposed use, or if there is no building, to the nearest lot line of the proposed use.

There are no other pawnshops within 5,280 feet of this site, as verified by city staff.

- (2) Customer entrances shall not be oriented toward residentially zoned property. Customer parking shall not be closer to the residentially zoned property than the primary entrance.

A new primary entrance is proposed to be added to this building to allow for better customer access including improving the accessibility issues present at this site. This new entrance faces the parking lot and is perpendicular to the residential property to the northwest. The site will also have a new six-foot high privacy fence along the entire northwest property line to allow for screening to the adjoining properties. The floor elevation of this store is approximately 5'-3" below the alley property line of the neighbor, which further provides for separation of these uses.

The existing parking lot will be completely reconstructed resulting in a significant reduction of the amount of impervious surfaces. The areas where impervious surfaces are removed will be thoroughly landscaped including shrubbery, trees and grass. The entire parking lot will be further away from the residential property than the new primary entrance. This new site plan is a significant improvement than the existing conditions and offers several layers of separation to the neighbors to the northwest.

- (3) The location of a pawnshop at this location will not be contrary to any adopted district plan or other city program for neighborhood conservation or improvement, either residential or nonresidential.

A pawnshop at this location is not contrary to any adopted district plan or other city program for neighborhood conservation or improvement. This proposal has been presented before the district council and has received favorable responses.

- (4) The proposed use meets all other requirements for conditional use permits provided in Section 61.500.

Please see items listed above.

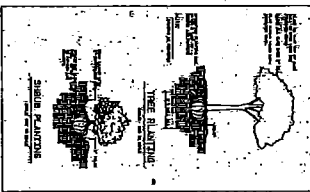
- (c) No pawnshop shall be located within one thousand three hundred twenty (1,320) feet of any alternative financial establishment measured from the nearest building wall of the existing establishment to the nearest building wall of the proposed use, or if there is no building, to the nearest lot line of the proposed use.

This development requests a modification to this provision. There exists an alternative financial establishment located in the Sibley Plaza shopping center, which is about three blocks away from this proposed pawnshop. The distance between these two buildings is approximately 730 feet.

GENERAL NOTES:
 ALL IMPROVEMENTS AND REPAIRS TO THE PUBLIC RIGHT-OF-WAY MUST BE DONE BY THE OWNER OF THE PROPERTY AND SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF SEATTLE.
 THE OWNER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING CURB AND GUTTER AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING SIDEWALK AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING STREET LIGHTS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING TRASH ENCLOSURE AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING FENCE AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING DRIVEWAY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING PORCH AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING PATIO AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING DECK AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING STAIRS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING ROOF AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING FLOORING AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING WALLS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING CEILING AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING DOORS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING WINDOWS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING PAINT AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING LANDSCAPING AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING UTILITIES AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING FOUNDATION AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING STRUCTURE AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING SYSTEMS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING EQUIPMENT AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING MATERIALS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING LABOR AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING COSTS AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING SCHEDULE AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING QUALITY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING SAFETY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING ENVIRONMENT AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING COMMUNITY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING HISTORY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING CULTURE AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING IDENTITY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING CHARACTER AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING DISTRICT AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING NEIGHBORHOOD AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING CITY AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING STATE AT ALL TIMES.
 THE OWNER SHALL MAINTAIN THE EXISTING COUNTRY AT ALL TIMES.

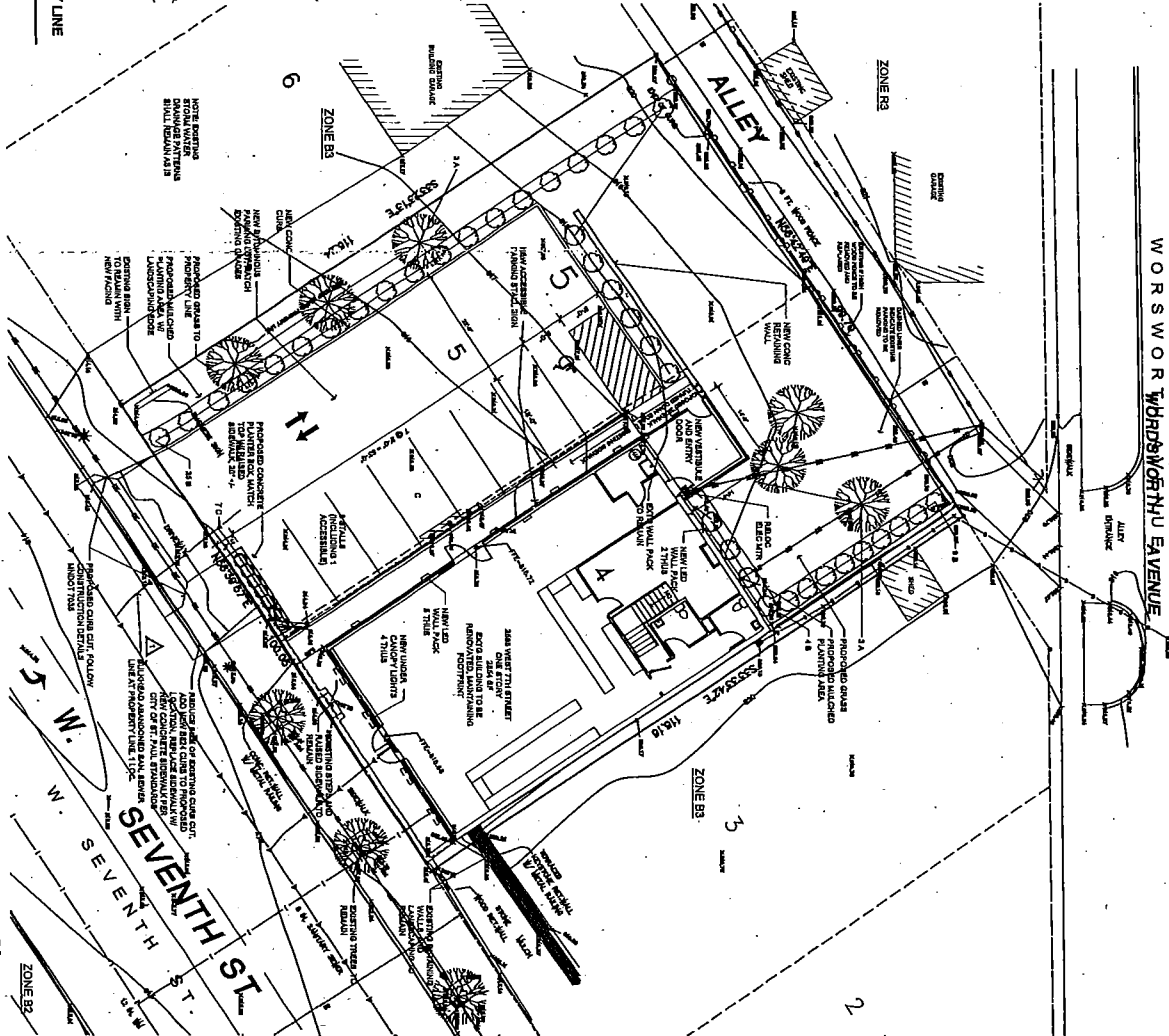
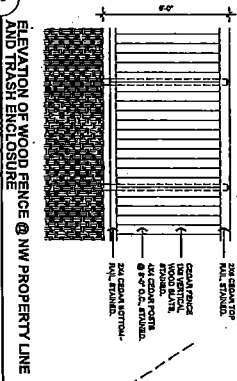
PLANTING LEGEND

A	ADORNED BUSH	1
B	ADORNED BUSH	2
C	ADORNED BUSH	3
D	ADORNED BUSH	4
E	ADORNED BUSH	5
F	ADORNED BUSH	6
G	ADORNED BUSH	7



SITE DATA

ZONE B1	3.00 AC.
ZONE B2	3.00 AC.
ZONE B3	3.00 AC.
ZONE B4	3.00 AC.
ZONE B5	3.00 AC.
ZONE B6	3.00 AC.
ZONE B7	3.00 AC.
ZONE B8	3.00 AC.
ZONE B9	3.00 AC.
ZONE B10	3.00 AC.
ZONE B11	3.00 AC.
ZONE B12	3.00 AC.
ZONE B13	3.00 AC.
ZONE B14	3.00 AC.
ZONE B15	3.00 AC.
ZONE B16	3.00 AC.
ZONE B17	3.00 AC.
ZONE B18	3.00 AC.
ZONE B19	3.00 AC.
ZONE B20	3.00 AC.
ZONE B21	3.00 AC.
ZONE B22	3.00 AC.
ZONE B23	3.00 AC.
ZONE B24	3.00 AC.
ZONE B25	3.00 AC.
ZONE B26	3.00 AC.
ZONE B27	3.00 AC.
ZONE B28	3.00 AC.
ZONE B29	3.00 AC.
ZONE B30	3.00 AC.
ZONE B31	3.00 AC.
ZONE B32	3.00 AC.
ZONE B33	3.00 AC.
ZONE B34	3.00 AC.
ZONE B35	3.00 AC.
ZONE B36	3.00 AC.
ZONE B37	3.00 AC.
ZONE B38	3.00 AC.
ZONE B39	3.00 AC.
ZONE B40	3.00 AC.
ZONE B41	3.00 AC.
ZONE B42	3.00 AC.
ZONE B43	3.00 AC.
ZONE B44	3.00 AC.
ZONE B45	3.00 AC.
ZONE B46	3.00 AC.
ZONE B47	3.00 AC.
ZONE B48	3.00 AC.
ZONE B49	3.00 AC.
ZONE B50	3.00 AC.
ZONE B51	3.00 AC.
ZONE B52	3.00 AC.
ZONE B53	3.00 AC.
ZONE B54	3.00 AC.
ZONE B55	3.00 AC.
ZONE B56	3.00 AC.
ZONE B57	3.00 AC.
ZONE B58	3.00 AC.
ZONE B59	3.00 AC.
ZONE B60	3.00 AC.
ZONE B61	3.00 AC.
ZONE B62	3.00 AC.
ZONE B63	3.00 AC.
ZONE B64	3.00 AC.
ZONE B65	3.00 AC.
ZONE B66	3.00 AC.
ZONE B67	3.00 AC.
ZONE B68	3.00 AC.
ZONE B69	3.00 AC.
ZONE B70	3.00 AC.
ZONE B71	3.00 AC.
ZONE B72	3.00 AC.
ZONE B73	3.00 AC.
ZONE B74	3.00 AC.
ZONE B75	3.00 AC.
ZONE B76	3.00 AC.
ZONE B77	3.00 AC.
ZONE B78	3.00 AC.
ZONE B79	3.00 AC.
ZONE B80	3.00 AC.
ZONE B81	3.00 AC.
ZONE B82	3.00 AC.
ZONE B83	3.00 AC.
ZONE B84	3.00 AC.
ZONE B85	3.00 AC.
ZONE B86	3.00 AC.
ZONE B87	3.00 AC.
ZONE B88	3.00 AC.
ZONE B89	3.00 AC.
ZONE B90	3.00 AC.
ZONE B91	3.00 AC.
ZONE B92	3.00 AC.
ZONE B93	3.00 AC.
ZONE B94	3.00 AC.
ZONE B95	3.00 AC.
ZONE B96	3.00 AC.
ZONE B97	3.00 AC.
ZONE B98	3.00 AC.
ZONE B99	3.00 AC.
ZONE B100	3.00 AC.



Max-It Pawn
 2045 West 7th Street, Seattle, WA 98101
 Architectural Site Plan

AS100

1. General Notes:
 The owner shall be responsible for obtaining all necessary permits from the City of Seattle.
 The owner shall maintain access to all adjacent properties at all times.
 The owner shall maintain the existing curb and gutter at all times.
 The owner shall maintain the existing sidewalk at all times.
 The owner shall maintain the existing street lights at all times.
 The owner shall maintain the existing trash enclosure at all times.
 The owner shall maintain the existing fence at all times.
 The owner shall maintain the existing driveway at all times.
 The owner shall maintain the existing porch at all times.
 The owner shall maintain the existing patio at all times.
 The owner shall maintain the existing deck at all times.
 The owner shall maintain the existing stairs at all times.
 The owner shall maintain the existing roof at all times.
 The owner shall maintain the existing flooring at all times.
 The owner shall maintain the existing walls at all times.
 The owner shall maintain the existing ceiling at all times.
 The owner shall maintain the existing doors at all times.
 The owner shall maintain the existing windows at all times.
 The owner shall maintain the existing paint at all times.
 The owner shall maintain the existing landscaping at all times.
 The owner shall maintain the existing utilities at all times.
 The owner shall maintain the existing foundation at all times.
 The owner shall maintain the existing structure at all times.
 The owner shall maintain the existing systems at all times.
 The owner shall maintain the existing equipment at all times.
 The owner shall maintain the existing materials at all times.
 The owner shall maintain the existing labor at all times.
 The owner shall maintain the existing costs at all times.
 The owner shall maintain the existing schedule at all times.
 The owner shall maintain the existing quality at all times.
 The owner shall maintain the existing safety at all times.
 The owner shall maintain the existing environment at all times.
 The owner shall maintain the existing community at all times.
 The owner shall maintain the existing history at all times.
 The owner shall maintain the existing culture at all times.
 The owner shall maintain the existing identity at all times.
 The owner shall maintain the existing character at all times.
 The owner shall maintain the existing district at all times.
 The owner shall maintain the existing neighborhood at all times.
 The owner shall maintain the existing city at all times.
 The owner shall maintain the existing state at all times.
 The owner shall maintain the existing country at all times.

2. Project Information:
 Project Name: Max-It Pawn
 Project Address: 2045 West 7th Street, Seattle, WA 98101
 Project Date: 05-28-2011
 Project Status: Planning Submittal
 Project Scale: 1/8" = 1'-0"

3. Client Information:
 Client Name: Max-It Pawn
 Client Address: 2045 West 7th Street, Seattle, WA 98101
 Client Phone: (206) 461-1111
 Client Email: info@maxitpawn.com

4. Designer Information:
 Designer Name: DJR Architecture, Inc.
 Designer Address: 333 Washington Ave N, Suite 210, Minneapolis, MN 55401
 Designer Phone: (612) 678-2700
 Designer Email: info@djra.com

5. Contractor Information:
 Contractor Name: [Blank]
 Contractor Address: [Blank]
 Contractor Phone: [Blank]
 Contractor Email: [Blank]

6. Structural Information:
 Structural Engineer: [Blank]
 Structural Address: [Blank]
 Structural Phone: [Blank]
 Structural Email: [Blank]

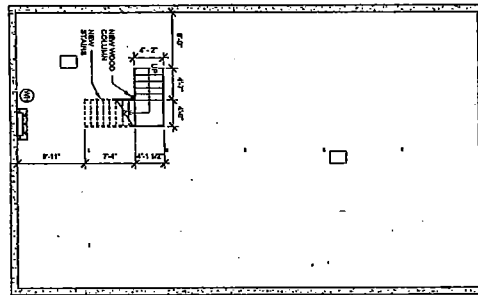
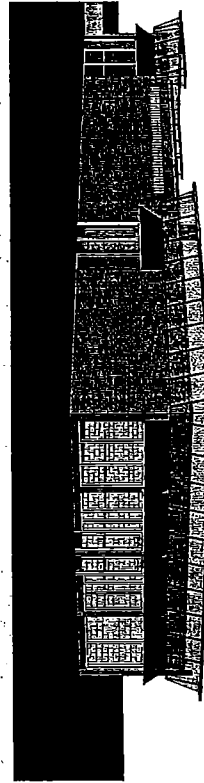
7. Mechanical Information:
 Mechanical Engineer: [Blank]
 Mechanical Address: [Blank]
 Mechanical Phone: [Blank]
 Mechanical Email: [Blank]

8. Civil Information:
 Civil Engineer: [Blank]
 Civil Address: [Blank]
 Civil Phone: [Blank]
 Civil Email: [Blank]

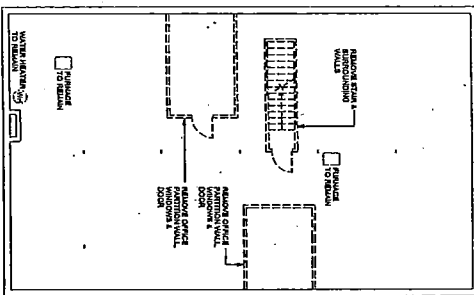
9. Electrical Information:
 Electrical Engineer: [Blank]
 Electrical Address: [Blank]
 Electrical Phone: [Blank]
 Electrical Email: [Blank]

10. Other Information:
 Other Engineer: [Blank]
 Other Address: [Blank]
 Other Phone: [Blank]
 Other Email: [Blank]

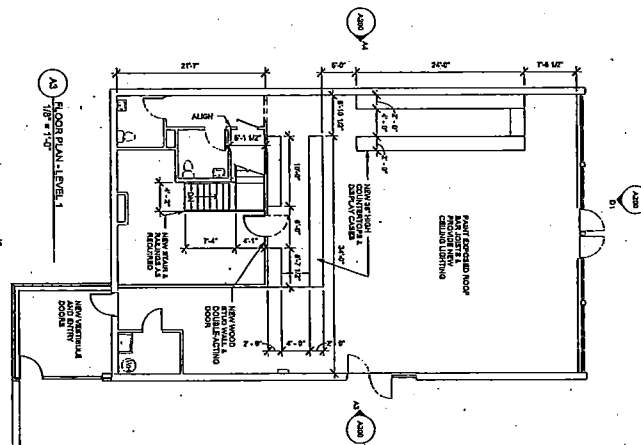
DJR
 ARCHITECTURE, INC.
 333 Washington Ave N, Suite 210
 Minneapolis, MN 55401
 (612) 678-2700 www.djr-inc.com



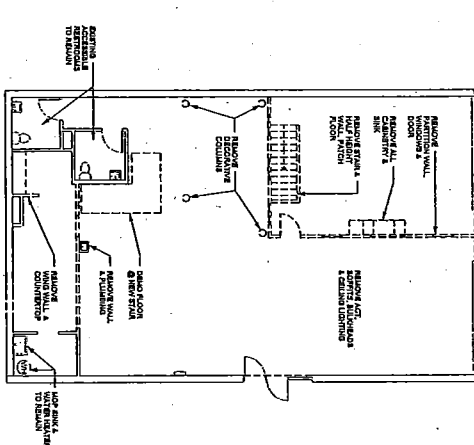
B) BASEMENT PLAN
1/8" = 1'-0"



B1) DEMO BASEMENT PLAN
1/8" = 1'-0"



A2) FLOOR PLAN - LEVEL 1
1/8" = 1'-0"



A1) DEMO FLOOR PLAN - LEVEL 1
1/8" = 1'-0"

Max-It Pawn

PRELIMINARY - NOT FOR CONSTRUCTION

Floor Plans, Demo Plans & Perspective

A100

I hereby certify that the plans, specifications, and contract documents are the work of the architect and are not the work of another person.

Architect

6/23/2011

6/23/2011

6/23/2011

6/23/2011

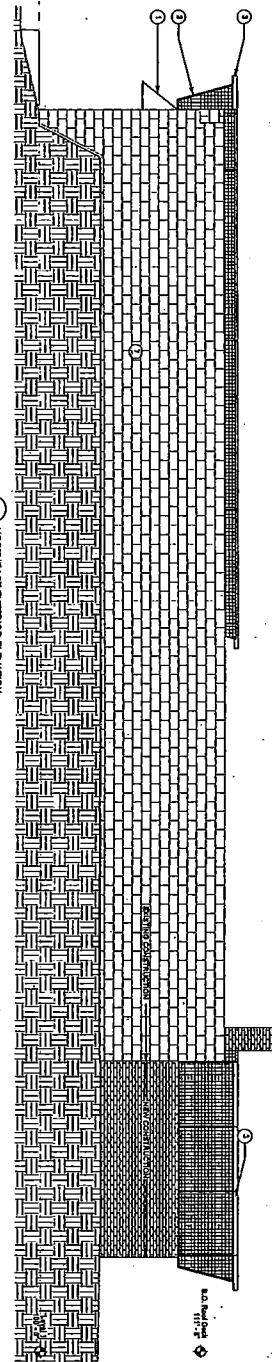
6/23/2011

6/23/2011

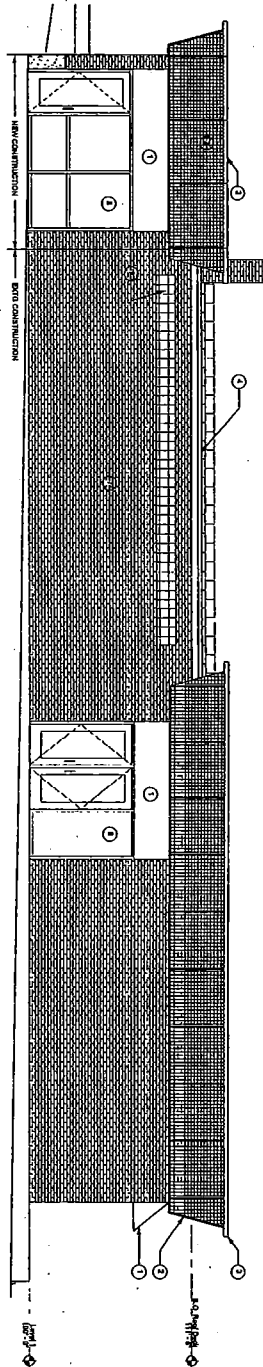
6/23/2011

6/23/2011

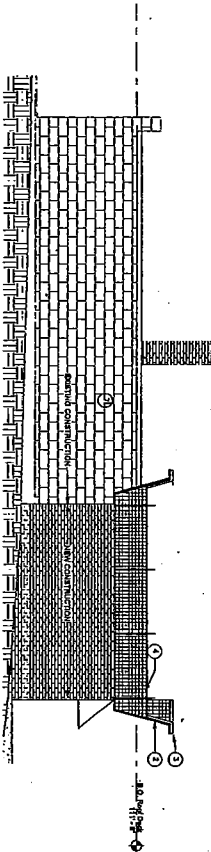
DJR
ARCHITECTURE, INC.
310 Washington Ave N Suite 210
Minneapolis, Minnesota 55401
612.875.2700 www.djr-inc.com



10 NORTHWEST EXTERIOR ELEVATION
1/4" = 1'-0"

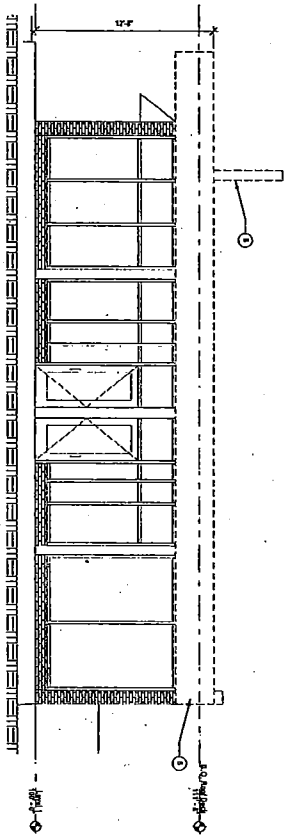


9 SOUTHWEST EXTERIOR ELEVATION
1/4" = 1'-0"

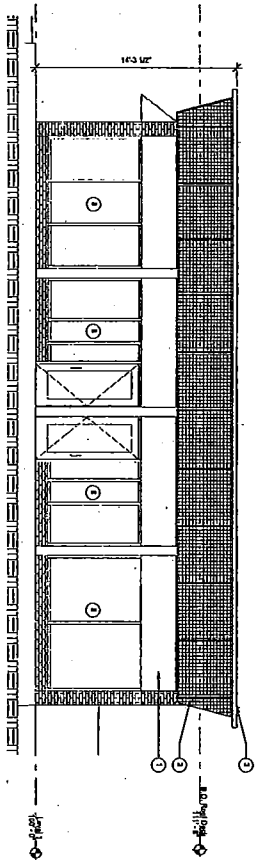


8 NORTHEAST EXTERIOR ELEVATION
1/4" = 1'-0"

EXTERIOR ELEVATION NOTES	
1	EXISTING BRICK CHIMNEY
2	EXISTING BRICK CHIMNEY
3	EXISTING BRICK CHIMNEY
4	EXISTING BRICK CHIMNEY
5	EXISTING BRICK CHIMNEY
6	EXISTING BRICK CHIMNEY
7	EXISTING BRICK CHIMNEY
8	EXISTING BRICK CHIMNEY
9	EXISTING BRICK CHIMNEY
10	EXISTING BRICK CHIMNEY



7 EAST EXTERIOR ELEVATION
1/4" = 1'-0"



6 WEST EXTERIOR ELEVATION
1/4" = 1'-0"

Max-It Pawn

PRELIMINARY - NOT FOR CONSTRUCTION

Exterior Elevations

Project #	10-0072
Date	03-28-11
Drawn by	OW
Checked by	SE

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of California.

Signature: _____
Professional Seal: _____

Client: _____
Contractor: _____
Structural: _____
Civil: _____

DJR
ARCHITECTURE, INC.
307 Washington Ave N, Suite 210
Minneapolis, Minnesota 55401
612.876.2700 www.djr-inc.com

A200

RESOLUTION RE: Application for a CUP by Max-it-Pawn
Highland District Council, Community Development Committee

Whereas,

- Max-it-Pawn is asking the City of St. Paul to grant them a Conditional Use Permit (CUP) so they can open a pawn shop at 2585 west Seventh street;
- The Community Development Committee of the Highland District Council held two public meetings on the subject, with notice to the public and flyers to the surrounding area;
- The HDC received emails and letters from 13 persons with regard to this application; all opposed granting the CUP, (see attached);
- At the public hearings, held on 10/19/10 and 2/15/2011 the majority of those in attendance opposed granting the CUP;
- Residents opposed to granting the CUP expressed the following concerns:

1. Traffic Safety:

The only entrance/exit will be on west seventh, which is a very busy street; cars often travel in excess of 50 mph, making entering and exiting this location a safety concern. Neighbors did not want alley access.

2. Parking:

Neighbors were concerned that because of the difficulty with access, customers would be parking on adjoining residential streets.

3. Neighborhood Safety:

Concern was expressed about the nature of the business and whether that might impact the safety of the neighborhood.

4. Entrance to the City/Shepard Davern:

Persons commented on all of the investment that has been made to this area in recent years, including the Gateway Project that included improvements to the bridge, a new St Paul sign, landscaping and other improvements as well as the new housing across the street and did not feel that a pawn shop was in keeping with the direction of improving the look of the entrance to St. Paul.

5. Best Interest of the neighborhood

People had general concerns about a pawn shop and the negative impact that would have on the neighborhood.

Be it Therefore Resolved that the Highland District Council opposes granting of a conditional use permit to Max it Pawn.

Approved: April 7, 2011



CONDITIONAL USE PERMIT

NO

PAWN SHOP

**CITY OF SAINT PAUL • PUBLIC HEARING
ZONING COMMITTEE**

DAY: APRIL 21, 2011 TIME: 3:30 PM

VOICE YOUR OPINION TODAY:

651-266-6570

sarah.zorn@ci.stpaul.us

February 14, 2011

Ms. Kathy Carruth
Community Organizer
Highland District Council
1978 Ford Parkway
St. Paul, MN 55116

Dear Ms. Carruth:

I am a long-time resident of the Highland Park neighborhood and am writing to express my opposition to the proposed variance re: Max-It Pawn request do business at 2585 West 7th Street.

As a 12-year homeowner near the proposed location, I am writing this letter to communicate my opposition to the proposed variance for Max-It Pawn. I believe that adding a pawn shop at 2585 West 7th Street is unsuitable for the neighborhood and area business.

The Sibley Plaza is in a tailspin. Adding a pawn shop to the area will only further detract future businesses from investing in this area. Despite the abundant traffic that flows past the proposed location and Sibley Plaza, the business area is run down and attracts few commuters and shoppers living outside walking distance from stores.

A pawn business will not add to the vitality of the neighborhood or business climate. It will attract individuals with reduced circumstances, who will not be likely to consume goods and services nearby.

As a homeowner who pays over \$3,600 in annual property taxes, I would like to see the Highland Council be proactive in creating an inviting, safe and vibrant shopping climate at both the 2585 West 7th address and Sibley Plaza. We need the commerce to ADD to our tax base and invite more home and condo owners to the Highland/West 7th neighborhood.

I am asking the Council to deny a Conditional Use Permit that would allow Max- It pawn to operate in such close proximity to long-standing residential properties.

I look forward to your response at the Informational Meeting on Tuesday, February 15.

Sincerely,



Tess Kavanagh
925 Wilder Street S
St. Paul, MN 55116
kavanagh_tess@hotmail.com

Sarah Zorn - Fwd: Pawn shop at former Dunn Bros. Shop

From: "David St. Germain" <david@davidsaintgermain.com>
To: "sarah.zorn@ci.stpaul.mn.us" <sarah.zorn@ci.stpaul.mn.us>
Date: 4/14/2011 8:47 AM
Subject: Fwd: Pawn shop at former Dunn Bros. Shop

David St. Germain
DAVID SAINT GERMAIN LLC
M: 952-210-6962
F 651-244-9583
david@davidsaintgermain.com
www.davidsaintgermain.co

----- Forwarded message -----

From: "Kent Petterson" <terrace@winternet.com>
Date: Thu, Apr 14, 2011 8:02 am
Subject: Pawn shop at former Dunn Bros. Shop
To: <sarah.zorn@ci.stpaul.us>
Cc: <stgermain.david@gmail.com>

Hi

I am writing to oppose a pawn shop at this location. If any variance from occupancy code is required for this use, it should not be granted. This location at the gateway to the West End of St. Paul and from the airport is not a good signal for entering visitors. Vehicle entrance onto the site is difficult and only possible from one direction the last I checked. Parking is needed at this type business since most customers will be bringing merchandise or retrieving, buying thus needing something to move the merchandise. Also, we already have Best Pawn on W. 7th St. and that should be enough for the neighborhood. At least Best Pawn is locally owned and not a 'chain' type operation which I believe the new occupant would be.

Kent Petterson
West End=

Sarah Zorn - Zoning Committee meets April 21, 2011 at 3:30PM on 3rd Floor St. Paul City Hall

From: "David St. Germain" <stgermain.david@gmail.com>
To: "David St. Germain" <stgermain.david@gmail.com>
Date: 4/14/2011 2:00 AM
Subject: Zoning Committee meets April 21, 2011 at 3:30PM on 3rd Floor St. Paul City Hall
Attachments: Pawn Shop.pdf; Pawn Shop.jpg

>>>>> PLEASE SEE ATTACHMENTS <<<<<

Our neighbors of Homcroft & Highland Park **need your immediate support to defeat the proposed Conditional Use Permit for a Pawn Shop to be**

located in our neighborhoods. We are a small enclave of homes sandwiched between St. Paul Ave, Edgcumbe and West 7th Street. Our families are fearful of the following

consequences that have occurred in other neighborhoods when Pawn Shops have been allowed to circumvent city zoning laws. This to may happen if the

City of St. Paul City Council, Planning Commission and Zoning Committee grant the Conditional Use Permit. A **Pawn Shop is proposed to open in the now closed, Dunn**

Bros Coffee Shop, off West 7th, Wordsworth and South Wheeler Streets . Our community, families and kids **appeal to your immediate assistance in**

calling 651-266-6570 and emailing
sarah.zorn@ci.stpaul.us today to voice "NO" to

recommending and approving the *Conditional Use Permit*, allowing a Pawn Shop to be located in our neighborhoods.

**Zoning Committee meets April 21, 2011 at 3:30PM
on 3rd Floor St. Paul City Hall**

The **Zoning Committee's recommendation to the Planning Commission and City of St.**

Paul Council will determine the outcome of our

attempts to block this deviation from existing zoning codes.

If you can believe, the City Administration supports

permitting a Pawn Shop to be located within feet, yards and blocks of residential homes, community centers, daycare facilities, early childhood

education buildings, religious churches and synagogues, elementary and senior high schools.

We need your help to pick up the

phone today to call 651-266-6570 and email

sarah.zorn@ci.stpaul.us to say

"NO" to granting the "Conditional Use Permit"

allowing the Pawn Shop to be the

"Welcoming Mat to Our Community".

As parents, teachers, business owners and civic organizations, we want to prevent any possibility of these consequences for our neighborhoods.

INCREASED CRIMINAL ACTIVITY

- | | | |
|---|--|----------------------------------|
| • Crime Rate Soar Surrounding Pawn Shop | • Return of Blight Plaguing Neighborhood | • Pawn Shops Attract Criminals |
| • Pawn Shop Lower Threshold of Thievery | • Residential Thefts & Robberies | • Exacerbates Gang Activity |
| • Accelerates criminal Activity | • Raise In Accessibility of Weapons | • Crime Watch Activity Required |
| • Attracts Liquidating Precious Metals | • Attracting Criminal Activity | • Increasing Drug Trade |
| • Liquidating Stolen Merchandise | • Exposing Drug Activity To Kids & Youth | • Cruising Behavior of Criminals |

NEGATIVE COMMUNITY IMPACT

- | | | |
|-----------------------------|----------------------------|---------------------------------|
| • Decreasing Housing Values | • Lowering Quality of Life | • Increase Neighborhood Traffic |
| • Increase In Neighborhood | • To Close To Residential | |

Parking

- Return of Negatively Perceived Retail
- No Community Support of Pawn Shop
- Regulated Business In Residential Homes
- Not Feeling Safe In Neighborhood
- Turn Away New Home Buyers of Homes

Zoning

- Low Community Confidence In Paw Shop
- Unable Unlocked Doors for 50 Years
- Turn Back Home Owners Vitality Activity
- Making It Harder
- Attract Drug Activity To Residential Area

Decrease Walking Neighborhood

- Families Interfacing with Criminals
- Increase In Police Enforcement
- Not Aesthetically Pleasing – Eye Sore
- Making It Harder to Sell Home
- Declining Property Improvements

NEGATIVE BUSINESS IMPACT

- Decreasing Rental Rates
- Lower Retail Sales
- Financial Trade Service Not Appropriate
- Decreases Available Enterprise Zoning
- Drive Business Away From Existing Retail
- Harder To Achieve Market Rental Rates

- Decrease Business Values
- Lower Restaurant Sales
- Excessive Markup of Used Goods Prices
- Regulated Business
- Returning Area To Regulated Businesses
- Dropping of Traditional Retail Traffic

- Lower Commercial Property Value
- Falling City/State Tax Revenue
- Lower Zoning Permit Requirements
- Deters Retail Development
- Liquidating Precious Metals
- Exodus of Existing Retail/Restaurant

PREY ON LOW INCOME DEMOGRAPHIC

- Paying High Interest Rates
- Attract Customer Outside of Community
- Unduly Targets Minority Community
- Charging Astronomical Pricing
- Gauging To Access Personal Property
- Ensnaing Individuals To Life of Poverty
- Unsympathetic Collection Activity

- Paying High Check Cashing Fees
- Families Loosing Vital Assets
- Poor Mentoring of Community Youth
- Raise Unscrupulous Practice of Gauging
- Unethical Syphoning of Income Earnings
- No Empowerment of Youth in Poverty
- Loss of Personal Property & Possessions

- Targeting Disadvantaged Individuals
- Trapping Vulnerable Families
- Exacerbates Continued Hardships
- Poor Lack of Financial Acumen
- Gauging To Access Money
- Fuels Endless Cycle of Hopelessness
- Burying Individuals In Deep Debt

February 10, 2011

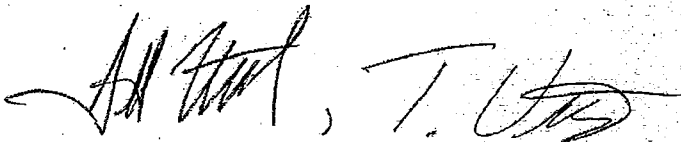
Planning Commission
Highland District Council
1978 Ford Parkway
Saint Paul, MN 55116

Dear Council Members,

This letter is to express our strong opposition to the plan to allow Max-It Pawn to operate at 2583 West 7th Street. As homeowners near the proposed location, we are very concerned about the impact that a business such as this will have on our neighborhood. We are asking the Council to deny a Conditional Use Permit that would allow Max It Pawn to operate in such close proximity to long-standing residential properties.

Your consideration in the matter is greatly appreciated.

Respectfully,

Handwritten signatures of Scott and Trina Uttley in black ink.

Scott and Trina Uttley
2139 Lower Saint Dennis Road
Saint Paul, MN 55116

February 11, 2011

We, the undersigned, are expressing our strong opposition to the proposed location of Max-It Pawn at 2583 West 7th Street. We would urge the Highland District Council to deny Max It Pawn a Conditional Use permit, which would allow operations at that address. It is our belief that having this type of business near residential neighborhoods is not in the best interest of Highland Park or St Paul.

Art Stone

ART STONE 2141 UPPER

Garzof

Garzof MAR 2011 2152 WPP. ST. DENNIS RD

Samantha Langer - Fwd: I vote NO for the Pawn Shop!

From: Sarah Zorn
To: Langer, Samantha
Date: 4/14/2011 11:52 AM
Subject: Fwd: I vote NO for the Pawn Shop!

Testimony for 2585 7th Street West CUP #11-116-521

>>> <LISA.APEL-CHRISTIANSON@spps.org> 4/14/2011 11:26 AM >>>

I do not feel that a Pawn Shop would bring anything positive to the neighborhood!

Thank you!!

Lisa Apel-Christianson

Lisa Apel-Christianson
Highland Park Elementary School
International Baccalaureate Primary Years Programme
1700 Saunders Avenue
St. Paul, MN 55116
651-293-8770

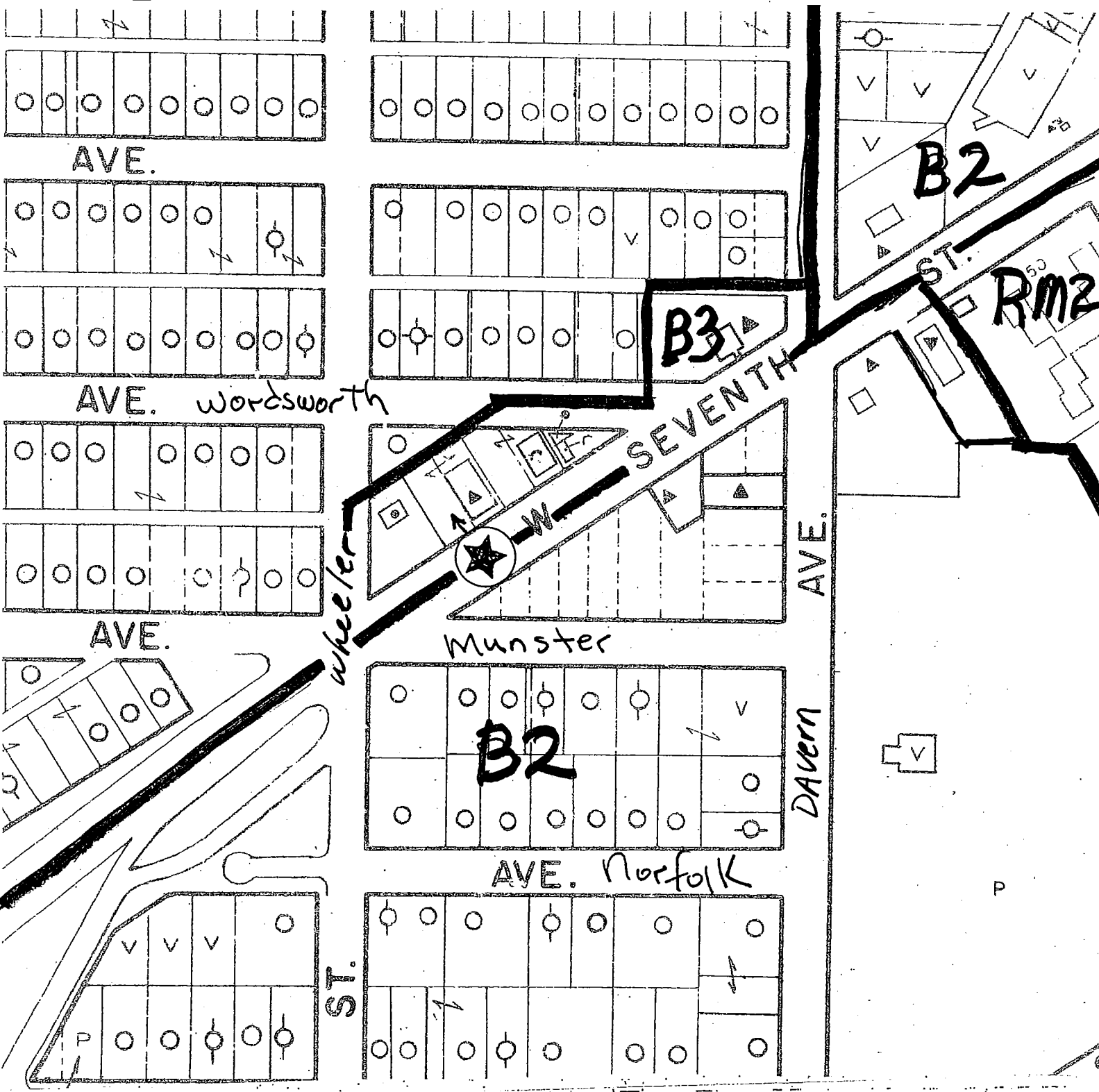
<http://www.highlandel.spps.org>



2585 7th Street West



Residentially zoned property behind site



APPLICANT Pink Dog Holding LLC
 PURPOSE Conditional Use w/mod
 FILE # 11-116521 DATE 4-5-11
 PLNG. DIST 15 Land Use Map # 41
 Zoning Map # 30

LEGEND

zoning district boundary
 subject property

one family
 two family
 multiple family

commercial
 industrial
 vacant

north